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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1001 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

All communications should be addressed to the chairman of the board

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Court Decisions.

Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting, June 28, 1938, at 10 A. M., Affecting Calendar Numbers 532-37-BZ, 27-33-BZ, 382-37-BZ, 392-38-BZ, 73-38-BZ and 315-38-BZ.

Minutes of Regular Meeting, June 28, 1938, at 2 P. M., Affecting Calendar Numbers 388-37-BZ, 426-37-BZ, 1266-25-BZ, 570-37-BZ, 1066-25-BZ, 530-37-BZ, 39-34-BZ, 9-38-BZ, 42-37-BZ, 494-38-A, 505-38-A, 484-38-A, 310-38-A, 515-38-A, 133-38-A, 430-38-A, 462-38-A, 464-38-A, 466-38-A, 318-38-A, 476-38-A, 490-38-A, 501-38-A, 513-38-A, 475-38-A, 504-38-A, 510-38-A, 522-38-A, 524-38-A, 525-38-A, 514-38-A, 517-38-A, 518-38-A, 519-38-A, 520-38-A, 526-38-A, 528-38-A, 537-38-A, 539-38-A, 540-38-A, 541-38-A, 216-34-A, 496-38-S, 473-38-S, 507-38-S, 506-38-S, 56-38-SA, 134-38-SA and 381-38-SA.

Corrections Affecting Calendar Numbers 413-20-BZ, 337-35-A and 193-38-A.

Approved Fuel Oil Pumps.

Approved Range Oil Burners and Space Heaters.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to June 28, 1938

Cal. No. *Department* *Premises Affected*

516-38-S.A.....F.D.....Peerless Safety Can for Gasoline, Appliance.

517-38-A.....H.B.Q.....183-03 to 183-11 Arcade avenue, northwest corner of Dunkirk street (Block 1387, part of Lot 1), St. Albans, Borough of Queens,
N.B. 3624-38, N.B. 3625-38 and N.B. 3626-38.

518-38-A.....H.B.Q.....183-02 to 183-10 Arcade avenue, northeast corner of Dunkirk street (Block 1388, part of Lot 6), St. Albans, Borough of Queens,
N.B. 3634-38, N.B. 3635-38 and N.B. 3636-38.

519-38-A.....H.B.Q.....183-34 to 183-42 Arcade avenue, southeast corner of Liberty avenue (Block 1388, part of Lot 6), St. Albans, Borough of Queens,
N.B. 3628-38, N.B. 3629-38, N.B. 3630-38 and N.B. 3631-38.

520-38-A.....H.B.Q.....183-23 to 183-31 Arcade avenue, southwest corner of Liberty avenue (Block 1387, part of Lot 1), St. Albans, Borough of Queens,
N.B. 3620-38, N.B. 3621-38 and N.B. 3622-38.

521-38-A...F.D. & D.B.M. & H.B.M....384 Greenwish street, west side, 50 ft. north of North Moore street and 369 Washington street (Block 186, Lots 25 and 35), Borough of Manhattan,
9391-L.C., Exit Order 52-37 and Decisions.

522-38-A.....F.D.....657-699 Park avenue, 924-942 Lexington avenue, 57 East 68th street and 54 East 69th street (Block 1403, Lot 1), Borough of Manhattan,
Decision.

523-38-BZ.....H.B.Q.....23-22 to 23-30 31st street, north side, 100 ft. east of 23rd road (Block 842, Lot 80), Long Island City, Borough of Queens,
Decision re: 1875-38.

524-38-A.....F.D.....538 Johnson avenue, southwest corner of Stewart street (Block 2294, Lot 1), Borough of Brooklyn,
74570-L.C. and Decision.

525-38-A.....H.B.B.....East side of McMullen avenue (Nautilus Boat Club), (Block 8470, part of Lot 430), Borough of Brooklyn,
Applic. 8344-38.

526-38-A.....F.D.....507-509 Washington street, east side, 142 ft. 4½ in. north of Spring street (Block 596, Lot 55), Borough of Manhattan,
F.P. 91-38 and Decision.

527-38-A-WF...H.B.Q.....134-26 to 134-28 Northern boulevard, south side, 75 ft. west of Prince street (Block 4967, Lot 45), Flushing, Borough of Queens,
Alt. 4260-38 and Decision.

528-38-A.....H.B.Q.....111-02 to 111-12 76th avenue, northeast corner of Austin street (Block 2111, part of Lot 1), Forest Hills, Borough of Queens,
N.B. 1910-38.

529-38-A.....H.B.Q.....127-25 Metropolitan avenue and 85-02 129th street, northwest corner (Block 9249, Lot 52), Richmond Hill, Borough of Queens,
N.B. 7549-29.

530-38-A.....F.D.....111 East 76th street, 112 East 77th street, 841 Park avenue and 1086 Lexington avenue (Block 1411, Lot 1), Borough of Manhattan,
786-L.F.

531-38-SM.....H.B.....Clad-Crete Rooflights, manufactured by American 3 Way Luxfer Prism Co., Inc., Material.

532-38-SM.....H.B.....Thermag Rooflights, manufactured by American 3 Way Luxfer Prism Co., Inc., Material.

533-38-SM.....H.B.....Daylight Rooflights, manufactured by American 3 Way Luxfer Prism Co., Inc., Material.

534-38-SM.....H.B.....3 Way Armored Sidewalk Lights or Vault Lights manufactured by American 3 Way Luxfer Prism Co., Inc., Material.

535-38-A.....H.B.Q.....124 Beach 17th street, southeast corner of Seagirt avenue (Block 149, Lot 1 and Block 150, Lot 1), Far Rockaway, Borough of Queens, Alt. 4683-38.

536-38-A.....F.D.....27-01 Bridge Plaza North, north side, block front from 27th street to 28th street and 41-35 27th street (Penthouse on roof); (Block 416, Lot 10), Long Island City, Borough of Queens, 75523-L.C.

537-38-A.....F.D.....1600-1736 Surf avenue, 1601-1735 Boardwalk, 3002-3104 West 16th street and 3001-

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CALENDAR

3101 West 19th street (Block 7073, Lots 1 and 14), Borough of Brooklyn, 75559-L.C.

538-38-A.....H.B.Q.....North side of 43rd avenue between 42nd street and 43rd street (Block 159, Lot 1), Sunnyside, Borough of Queens, N.B. 2638-38.

539-38-A.....H.B.Q.....East side of Cross Bay boulevard, 150 ft. south of 22nd road (Block 209, Lot 71), Big Egg Marsh, Broad Channel, Borough of Queens, N.B. 4863-38.

540-38-A.....H.B.Q.....North side of 22nd road, 250 ft. east of Cross Bay boulevard (Block 209, Lot 75), Big Egg Marsh, Broad Channel, Borough of Queens, Alt. 4862-38.

541-38-A.....H.B.Q.....South side of 22nd road, 250 ft. east of Cross Bay boulevard (Block 209, Lot 73), Big Egg Marsh, Broad Channel, Borough of Queens, Alt. 4861-38.

542-38-BZ.....H.B.Q.....Southwest corner of Fresh meadow road and Underhill avenue (Block 5580, Lot 140), Flushing, Borough of Queens, Alt. 1130-38.

543-38-A.....F.D.....11-19 Broadway, north side, 124.9 ft. east of Vernon avenue (Block 502, Lot 41), Long Island City, Borough of Queens, 72699-L.C. and Decision.

544-38-SM.....H.B.....Smootharc Welding Electrodes, manufactured by Harnischfeger Corp., Material.

545-38-SM.....H.B.....Gypsteel Precast Short Span Gypsum Roof Slabs, manufactured by Structural Gypsum Division, American Cyanamid and Chemical Corp., Material.

546-38-SM.....H.B.....Blue Streak High Early Strength Portland Cement, manufactured by North American Cement Corp., Material.

547-38-SM.....H.B.....Kentile, manufactured by David E. Kennedy, Inc., Material.

548-38-SM.....H.B.....Gypsteel Precast Gypsum Floor and Roof Slabs, manufactured by Structural Gypsum Division, American Cyanamid and Chemical Corp., Material.

549-38-BZ.....H.B.Bx.....4729 Third avenue, southwest corner of East 189th street and 4730 Park avenue (Block 3041, Lot 47), Borough of The Bronx, N.B. 204-38.

550-38-S.....H.B.M.....1220-1226 Broadway and 35 West 30th street, northeast corner (Block 832, Lot 22), Borough of Manhattan, Alt. 1654-38.

551-38-A.....H.B.M.....1220-1226 Broadway and 35 West 30th street, northeast corner (Block 832, Lot 22), Borough of Manhattan, Alt. 1654-38.

552-38-BZ.....H.B.Bx.....777 Sheridan avenue, west side, 152.59 ft. north of East 156th street (Block 2458, Lot 124), Borough of The Bronx, N.B. 265-38.

Restored to Calendar

1266-25-BZ.....H.B.B.....668-672 New Lots avenue, southwest corner of Jerome street (Block 4307, Lot 22), Borough of Brooklyn, Applic. 8105-38.

426-37-BZ.....H.B.Q.....129-02 to 129-16 Rockaway Beach boulevard, 201-235 Beach 129th street, northwest corner and 202-216 Beach 130th street (Block 727, Lots 22, 26, 28, 41 and 47), Belle Harbor, Borough of Queens, Applic. 5115-37.

570-37-BZ.....H.B.M.....328-334 East 21st street, south side, 220 ft. west of First avenue (Block 926, Lots 50-53), Borough of Manhattan, Decision.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department and F.D.—Fire Department.

(Effective January 1, 1938.)

COURT DECISIONS

In re Herman (Murdock)—On February 1, 1938, board denied appeal for parking and storage of more than five motor vehicles in business district, under section 7-h, Cal. No. 134-37-BZ, at premises 1043-1053 Winthrop street, Borough of Brooklyn. Mr. Justice Froessel sustained board (N. Y. L. J., June 24, 1938) stating: "Its action in denying the application was, in my opinion, a proper exercise of discretion, which this court cannot disturb."

* * *

La Bouchere Realty Corp. (Murdock)—On May 18, 1937, board affirmed decision of building commissioner denying curb cut, because of hazardous conditions, under Cal. No. 169-37-A, in unrestricted district, premises 752-754 First avenue, northeast corner of 42nd street, borough of Manhattan. Mr. Justice Shientag sustained board, holding its action was neither arbitrary nor unreasonable (N. Y. L. J., March 18, 1938). Appellate Division unanimously affirmed order, without opinion (N. Y. L. J., June 25, 1938).

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CALENDAR

Matter of Boyd H. Wood Co. (Murdock et al)—On April 5, 1938, board affirmed decision of superintendent of buildings holding that proposed pent house on a non-fireproof multiple dwelling class A is in violation of section 4, subdivision 15, and since the board has no power to vary the Multiple Dwelling Law, denied the appeal, Cal. No. 214-38-A, premises 124-138 Bay Ridge parkway, Borough of Brooklyn. Mr. Justice Froessel sustained the board (N. Y. L. J., June 29, 1938), stating: "Upon the facts submitted by the parties, I am of the opinion that the decision is correct, and that the Board of Standards and Appeals may not modify the determination of the superintendent of buildings under these circumstances (sec. 9, Multiple Dwelling Law, chap. 27, Title A; sect. 666 (6)-2.0 of Administrative Code of the City of New York). Section 51 of the Tenement House Law likewise prohibited the erection of a pent house on a non-fireproof tenement house, and section 8 of that law forbade any municipal authority to modify or dispense with any provision thereof."

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules....May	31, 1938—Vol. 23, No. 22
Certificate of Occupancy, approved forms .....Aug.	2, 1932—Vol. 17, No. 31
Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)...Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules .....Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
Factory Exit Rules.....May	24, 1938—Vol. 23, No. 21
Fire Alarm Rules (Interior).....Apr.	5, 1938—Vol. 23, No. 14
Fire Drill Rules.....June	21, 1938—Vol. 23, No. 25
Fire Retarding Rules for Garages, etc. .....June	21, 1938—Vol. 23, No. 25
Fireproof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules .....May	3, 1938—Vol. 23, No. 18
Gas Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection .....June	5, 1928—Vol. 13, No. 23
Oil Burner Rules.....June	7, 1938—Vol. 23, No. 23
Paint, Varnish and Lacquer Spraying Rules .....April	26, 1938—Vol. 23, No. 17
Platform Trucks, Specifications for.Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules .....Aug.	3, 1937—Vol. 22, No. 31
Procedure, Rules of.....Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract C.O.June	14, 1938—Vol. 23, No. 24
Smoking in Factories, Rules for....June	28, 1938—Vol. 23, No. 26
Sprinkler Rules .....June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting...June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves .....Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....June	28, 1938—Vol. 23, No. 26
Fuel Oil Burners for Domestic and Commercial Use .....Apr.	19, 1938—Vol. 23, No. 16
Fuel Oil Fill Pipe Terminals.....June	28, 1938—Vol. 23, No. 26
Fuel Oil Burners for Industrial Use.June	28, 1938—Vol. 23, No. 26
Fuel Oil Pumps.....July	5, 1938—Vol. 23, No. 27
Paint, Varnish and Lacquer Spraying Equipment .....April	26, 1938—Vol. 23, No. 17
Range Oil Burners and Space Heaters .....July	5, 1938—Vol. 23, No. 27

JULY 6, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, July* 6, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 340-38-BZ—Application, May 6, 1938, under section 21 of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Emil Mosbacker, owner, to permit partly in a business use district and partly in a residence use district the parking and storage of more than five (5) motor vehicles and, also, the erection and maintenance of a gasoline service station; premises 2686-2690 Jerome avenue, east side, 146.76 ft. north of East Kingsbridge road (Block No. 3317, part of Lot No. 6), Borough of The Bronx.

CAL. NO. 311-38-BZ—Application, April 28, 1938, under section 21 of the building zone resolution, of Arnold W. Lederer, applicant, on behalf of J. K. Rasnake and J. B. Fleming, owners, to permit in a residence use district the maintenance of two (2) ground signs; premises 2080-2086 Ocean avenue and 1913 Avenue "P", northwest corner (Block No. 6766, Lot No. 53), Borough of Brooklyn.

CAL. NO. 13-38-BZ—Application, January 11, 1938, under section 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of M. Boguslawsky, Inc., owner, to permit in a business use district the erection and maintenance of a storage garage for more than five (5) motor vehicles on a plot occupied, in part, as a gasoline service station; premises 2481-2489 Southern boulevard and 757-765 East 189th street, northwest corner (Block No. 3116, Lot No. 37), Borough of The Bronx.

CAL. NO. 266-36-BZ—Application of Lama and Proskauer, applicants, on behalf of Frederick Reiner, owner, reopened December 14, 1937, under section 7c of the building zone resolution, to permit the extension, from an unrestricted use district into a business use district, of an existing gasoline service station (previously withdrawn); premises 90-25 to 90-33 Horace Harding boulevard (Nassau boulevard), northeast corner of Queens boulevard (Block No. 1876, Lot No. 1 and part of Lot No. 21), Elmhurst, Borough of Queens.

CAL. NO. 461-37-BZ—Application, September 27, 1937, under sections 7h and 21 of the building zone resolution, of Manhattan Parking Corporation, applicant and lessee, on behalf of New York Life Insurance Company, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 247-261 Madison avenue, south side, from East 38th street to East 39th street (Block No. 868, Lot Nos. 20, 22, 23, 24, 25, 54, 55 and 56), Borough of Manhattan.

CAL. NO. 261-38-BZ—Application, April 14, 1938, under section 21 of the building zone resolution, of Saypol and Kotler, applicants, on behalf of Gothard Lowenstein, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 1381-1383 Flatbush avenue, northwest corner of East 26th street (Block No. 5227, Lot No. 1), Borough of Brooklyn.

CALENDAR

CAL. NO. 1254-23-BZ—Application of Samuel Rosenblum, applicant, on behalf of 14 Second Avenue Realty Corporation, owner, reopened January 4, 1938, under section 21 of the building zone resolution, to permit in a business use district the installation of gasoline storage equipment in a garage for more than five (5) motor vehicles, previously granted by the Board on condition that no gasoline storage equipment be installed; premises 14 Second avenue, east side, 47 ft. 10 in. south of East First street (Block No. 442, Lot No. 6), Borough of Manhattan.

CAL. NO. 360-38-BZ—Application, May 13, 1938, under sections 7a and 7c of the building zone resolution of Matthew W. Del Gaudio, applicant, on behalf of 356 West 44th Street Corporation, owner, to permit in a residence use and "B" area district the alteration and extension of a building and the extension of an existing business use; also the omission of part of the required rear yard; premises 356 West 44th street, south side, 100 ft. east of Ninth avenue (Block No. 1034, Lot No. 60), Borough of Manhattan.

CAL. NO. 532-37-BZ—Application, November 10, 1937, under section 7h of the building zone resolution, of Herman R. Josephson and Isaac Josephson, applicants and lessees, on behalf of Ronash Realty Corporation, owner, to permit, for a temporary period of not more than two (2) years, in a business use district, the parking and storage of more than five (5) motor vehicles; premises 136-56 to 136-62 39th avenue (Locust street), south side, 378.30 ft. west of Union street (Block No. 4980, Lot No. 26), Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 6, 1938, 2 P. M.

Appeals from Administrative Orders

27-38-A—346 Carroll street, south side, 72 ft. 4 in. west of Bond street and 37-53 First street (Block No. 451, Lot No. 25), Borough of Brooklyn.

383-38-A—41-79 Gleane street, east side, 188 ft. south of Elmhurst avenue (Block No. 1555, Lot No. 46), Elmhurst, Borough of Queens.

483-38-A—2081-2091 Broadway, northwest corner of West 72nd street (Block No. 1164, Lot No. 26), Borough of Manhattan.

334-38-A—4908-4910 Farragut road, southeast corner of East 49th street (Block No. 4786, Lot Nos. 78 and 79), Borough of Brooklyn.

434-38-A—1193-1195 Atlantic avenue, north side, 354 ft. west of Nostrand avenue and 34-36 Herkimer street (Block No. 1866, Lot No. 16), Borough of Brooklyn.

529-38-A—Metropolitan avenue and 129th street, northwest corner (Block No. 9249, Lot No. 52), Richmond Hill, Borough of Queens.

530-38-A—111 East 76th street, 112 East 77th street, 841 Park avenue and 1086 Lexington avenue (Block No. 1411, Lot No. 1), Borough of Manhattan.

535-38-A—125 Beach 17th street, southeast corner of Seagirt avenue (Block No. 150, Lot No. 1), Far Rockaway, Borough of Queens.

536-38-A—27-01 Bridge Plaza North, north side, block front from 27th street to 28th street and 41-35 27th street (Block No. 416, Lot No. 10), Long Island City, Borough of Queens.

538-38-A—North side of 43rd avenue, between 42nd street and 43rd street (Block No. 159, Lot No. 1), Sunnyside, Borough of Queens.

543-38-A—11-19 Broadway, north side, 124.9 ft. east of Vernon avenue (Block No. 502, Lot No. 41), Long Island City, Borough of Queens.

553-38-A—Barge, 1,000 ft. off shore, foot of Ferris lane (Pleasant Bay Park), Unionport, Borough of The Bronx.

556-38-A—355-371 Fifth avenue, 188-198 Madison avenue, 1-15 East 34th street and 2-16 East 35th street (Block No. 864, Lot No. 1), Borough of Manhattan.

Variation of Labor Law

473-38-S—261 West 42nd street, northeast corner of 8th avenue (Block No. 1014, Lot Nos. 1 to 4½ inclusive), Borough of Manhattan.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, July* 6, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 17-29-BZ—Application of Clara K. Eberhart, applicant and owner, reopened under new proposal November 23, 1937, under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a gasoline service station and, also, the storage and parking of more than five (5) motor vehicles; premises 1886-1888 Boston road, south side, 49.27 ft. east of Bryant avenue and 1901-1907 Longfellow avenue (Block No. 3004, Lot Nos. 28, 40 and 42), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JULY 8, 1938, 10 A. M.

SPECIAL MEETING

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Friday morning, July* 8, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 633-26-BZ—Application of Miriam Young, applicant and owner, reopened April 26

CALENDAR

1938, under section 21 of the building zone resolution, to permit in a residence use district the change of occupancy of part of an existing building from residence to business use (Beauty Parlor); (previously denied by the board re use of premises for business purposes—five (5) stores); premises 1883 Marmion avenue, west side, 100 ft. north of East 176th street (Block No. 2954, Lot No. 34), Borough of The Bronx.

CAL. NO. 16-38-BZ—Application, January 13, 1938, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Greenwood Cemetery Corporation, owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 240-246 East 35th street, south side, 100 ft. west of 2nd avenue (Block No. 915, Lot Nos. 38 and 41), Borough of Manhattan.

CAL. NO. 288-38-BZ—Application, April 19, 1938, under section 7h of the building zone resolution, of Paul Friedman, applicant, on behalf of Brooklyn Trust Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 602-622 Brightwater court, 601-643 Riegelman boardwalk, 3153-3173 East 6th street and 3288-3310 Coney Island avenue (Block No. 7284-10, Lot Nos. 2271 and 2275), Borough of Brooklyn.

CAL. NO. 344-38-BZ—Application, May 9, 1938, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of The Borden Company, owner, to permit partly in a business use district and partly in an unrestricted use district, for a temporary priod of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 942-958 DeKalb avenue, southwest corner of Lewis avenue (Block No. 1601, Lot No. 24), Borough of Brooklyn.

CAL. NO. 374-38-BZ—Application, May 17, 1938, under section 21 of the building zone resolution, of Henry Nordheim, applicant, on behalf of Frances Pitroniro, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 860-866 East 222nd street and 3863-3867 Bronxwood avenue, southwest corner (Block No. 4680, Lot No. 69), Borough of The Bronx.

CAL. NO. 612-37-BZ—Application, December 22, 1937, under section 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Miriam Blumenthal, owner, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 524-534 East 121st street, southwest corner of East River drive (Block No. 1817, Lot Nos. 19 to 25 inclusive), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JULY 12, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July* 12, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 338-38-BZ—Application, May 5, 1938, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Grace F. Boardman, owner, to permit in a residence use district the maintenance of a stable for more than five (5) horses; premises 193-12 to 193-20 Salerno avenue and 194-02 to 194-08 Dunton avenue, southwest corner (Block No. 1431, Lot No. 159), Holliswood, Borough of Queens.

CAL. NO. 463-38-BZ—Application, June 7, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Preferred Estates, Inc., owner, to permit in a business use district the reconstruction of an existing gasoline service station; premises 172-02 Hillside avenue, southeast corner of 172nd street (Block No. 9829, Lot No. 37a), Jamaica, Borough of Queens.

CAL. NO. 186-30-BZ—Application of Ethel Quasman, applicant and owner, reopened May 24, 1938, under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 74-02 to 74-10 Jamaica avenue and 1 Elderts lane, southeast corner (Block No. 8899, part of Lot No. 1), Woodhaven, Borough of Queens.

CAL. NO. 425-38-BZ—Application, May 28, 1938, under section 21 of the building zone resolution, of 1215 Concourse Realty Corporation, applicant, on behalf of Bowery Savings Bank, owner, to permit in a business use district the erection and maintenance of a gasoline service station for a temporary period of five (5) years; premises 100 East 107th street and 1455 Park avenue, southeast corner (Block No. 1634, Lot No. 71), Borough of Manhattan.

CAL. NO. 420-37-BZ—Application, August 27, 1937, under sections 21 and 7h of the building zone resolution, of J. Bert Miller, applicant and lessee, on behalf of Mainrose Realty Corporation, owner, to permit, in a business use district, for a temporary period of not more than two (2) years, the parking and storage of

CALENDAR

more than five (5) motor vehicles; premises 136-30 Roosevelt avenue, south side, 295 ft. east of Main street (Block No. 5019, Lot No. 16), Flushing, Borough of Queens.

CAL. NO. 42-38-BZ—Application, January 21, 1938, under sections 7b, 7c and 21 of the building zone resolution, of Thomas W. Golding, applicant, on behalf of Henry Pape, owner, to permit, partly in a business use district and partly in an unrestricted use district, the maintenance of a garage for more than five (5) motor vehicles; premises 22-36 Caton place, south side, 182 ft. 10 in. east of Ocean parkway (Block No. 5320, Lot No. 55), Borough of Brooklyn.

CAL. NO. 27-33-BZ—Application of William E. Kennedy, applicant, on behalf of Joseph Moss, owner, reopened March 15, 1938 under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution); premises 212-31 115th avenue and 114-30 Springfield boulevard, northwest corner (Block No. 1949, part of Lot No. 1), St. Albans, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 12, 1938, 2 P. M.

Appeals from Administrative Orders

356-38-A—333 West 83rd street and 110-112 Riverside drive, southeast corner (Block No. 1245, Lot Nos. 47, 49, 54 and part of Lot No. 56), Borough of Manhattan.

306-38-A—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

494-38-A—721-729 Lenox avenue, west side, from West 146th street to West 147th street, 101-165 West 146th street and 100-164 West 147th street (Block No. 2015, Lot No. 6), Borough of Manhattan.

505-38-A—625 Lexington avenue, east side, 100 ft. south of East 54th street (Block No. 1308, Lot No. 21), Borough of Manhattan.

484-38-A—315 East 137th street, north side, 200 ft. west of Alexander avenue (Block No. 2313, Lot No. 31), Borough of The Bronx.

Variation of Labor Law

507-38-S—329 Myrtle avenue, north side, 79 ft. west of Carlton avenue (Block No. 2043, Lot No. 89), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July* 12, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 388-37-BZ—Application of Samuel Rosenblum, applicant, on behalf of W.P.A. Realty Corporation, owner, reopened June 7, 1938, for consideration of an amendment to resolution to permit storage of more than five (5) motor vehicles —re Application, previously granted on condition, under section 7h of the building zone resolution, permitting, for a period of not more than two (2) years, in a business use district, the parking of more than five (5) motor vehicles; premises 2159 White Plains avenue, west side, 400 ft. south of Pelham parkway south (Block No. 4317, Lot No. 56), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JULY 19, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning,* July 19, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 527-37-BZ—Application, November 9, 1937, under section 7h of the building zone resolution, of Abraham L. Hyman, applicant, on behalf of 670 Third Avenue Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 144-150 East 43rd street, south side, 100 ft. west of Third avenue (Block No. 1297, Lot Nos. 41, 43 and 45), Borough of Manhattan.

CAL. NO. 251-35-BZ—Application of Paul Friedman, applicant, on behalf of State Engineering Corporation and Cora Lay Waldron, owners, reopened May 17, 1938, under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a business building (stores); (previously denied under sections 7c and 21 of the building zone resolution); premises 2115-2119 Caton avenue, north side, 91 ft. west of Flatbush avenue (Block No. 5063, Lot No. 69), Borough of Brooklyn.

CAL. NO. 460-37-BZ—Application, September 27, 1937, under sections 7h and 21 of the building zone resolution, of MacMurray Holding Corporation, applicant and lessee, on behalf of Lexington avenue and 59th Street Corporation, owner, to permit in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 141-155 East 58th street, north side, 95 ft. east of Lexington avenue and 731-733 Lexington avenue (Block No. 1313, Lot No. 53), Borough of Manhattan.

CALENDAR

CAL. NO. 398-38-BZ—Application, May 20, 1938, under section 21 of the building zone resolution, of Sydne Schleman, applicant, on behalf of Beatrice Gamso, owner, to permit in a residence use and "E" area district the erection of an extension, to an existing dwelling, not conforming with the ten (10) foot set back required by the building zone resolution; premises 827 East 21st street, east side, 100 ft. north of Glenwood road (Block No. 5242, Lot No. 11), Borough of Brooklyn.

CAL. NO. 409-38-BZ—Application, May 25, 1938, under section 21 of the building zone resolution, of Joseph Rothman, applicant, on behalf of Rubel Corporation, owner, to permit in a residence use district the maintenance of a lumber yard; premises 86-70 76th street, west side, 146 ft. south of Jamaica avenue (Block No. 8904, part of Lot No. 7), Woodhaven, Borough of Queens.

CAL. NO. 628-37-BZ—Application, December 31, 1937, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Isaac T. Flatto, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 97 Dyckman street and 173 Nagle avenue, southeast corner (Block No. 2150, part of Lot No. 91), Borough of Manhattan.

CAL. NO. 469-38-BZ—Application, June 2, 1938, under section 21 of the building zone resolution, of Alfred H. Eccles, applicant, on behalf of Otto Grumbach, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 93-11 to 93-25 Rockaway boulevard and 103-28 to 103-36 94th street, northwest corner (Block No. 9114, Lot No. 19), Woodhaven, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 19, 1938, 2 P. M.

Variation of Labor Law

496-38-S—250 Myrtle avenue, south side, 90 ft. east of Ashland place, 99-113 Ashland place and 45-57 Bolivar street (Block No. 2068, Lot Nos. 1, 26 and 12), Borough of Brooklyn.

JULY 20, 1938, 10 A. M.

SPECIAL MEETING

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, July* 20, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 597-37-BZ—Application, December 15, 1937, under sections 7h and 7c of the building zone resolution, of Herman Kron, applicant, on behalf of Bowery Savings Bank, owner, to permit, for a temporary period of not more than two (2) years, partly in an unrestricted use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles; also, plot is located on a street between two (2) intersecting streets, in which portion there exists a public school; premises 339-349 East 46th street, north side, 80 ft. west of First avenue and 332-342 East 47th street (Block No. 1339, Lot Nos. 19 to 22¼ and 30½ to 34 inclusive), Borough of Manhattan.

CAL. NO. 682-26-BZ—Application of William I. Hohauser, applicant, on behalf of William Hagedorn, owner, reopened March 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of additional gasoline dispenser equipment in a garage for more than five (5) motor vehicles previously granted by the board; the resolution stipulates that any gasoline equipment installed shall be located at the extreme southerly end of these premises; premises 2218 Jerome avenue, southeast corner of East 182nd street (Block No. 3186, Lot No. 17), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Tenement House Department on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JUNE 28, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, June 14, 1938 and the minutes of the regular meeting of the board held on Tuesday afternoon, June 14, 1938, were approved as printed in Bulletin No. 25, Vol. XXIII.

BUILDING ZONE CASES

532-37-BZ.

APPLICANT—Herman R. Josephson and Isaac Josephson (lessees), for Ronash Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit, for a temporary period of not more than two (2) years, in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—136-56 to 136-62 39th avenue (Locust street), south side, 378.30 ft. west of Union street (Block No. 4980, Lot No. 26), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Laid over to July 6, 1938 at 10 A. M. upon written request of applicant's attorney.

27-33-BZ.

APPLICANT—William E. Kennedy, for Joseph Moss, owner.

SUBJECT—Application reopened March 15, 1938 (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution).

PREMISES AFFECTED—212-31 115th avenue and 114-30 Springfield boulevard, northwest corner (Block No. 1949, part of Lot No. 1), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: James Adikes.

For Opposition: Herman Goldberg.

ACTION OF BOARD—Laid over to July 12, 1938 at 10 A. M. upon request of applicant's representative.

382-37-BZ.

APPLICANT—Aaron Roth, for Stewcan Realty Corporation and George M. Thomson, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit, for a temporary period of not more than two (2) years, in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—43-26 to 43-36 48th street, west side, 100 ft. north of Queens boulevard (Block No. 140, Lot Nos. 40 and 42), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Aaron Roth, George M. Thomson and Albert J. King.

For Opposition: David L. Samuels and W. J. Williams.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(382-37-BZ)

WHEREAS, Aaron Roth, for Stewcan Realty Corporation and George M. Thomson, owners, filed July 27, 1937, an application under the building zone resolution to permit for a temporary period of not more than two (2) years, in a business use district, the parking and storage of more than five (5) motor vehicles; Premises: 43-26 to 43-36 48th street, west side, 100 ft. north of Queens boulevard (Block No. 140, Lot Nos. 40 and 42), Long Island City, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 28, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 48th street is in a business use district 47th street is in a residence and business use district; Queens boulevard is in a business use district and 43rd avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated May 25, 1938, reads: :

> "Be advised that application made by you, as representative of Albert King of 45-35 46th street, Long Island City, for issuance of certificate of occupancy to cover use of premises west side of 48th street, 100 ft. north of Queens boulevard, Borough of Queens, for storage and parking space purposes, is hereby DENIED as this location is situated in a business district (fire limits), and such use would be contrary to subdivision 15, section 4, of the building zone resolution of the City of New York."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 195 ft. and a depth of 100 ft.; it is proposed to use the plot for a temporary period of not more than two years for the parking and storage of more than five motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7, subdivision H thereof, for a temporary period of two years from the date of this action, to permit the plot under appeal to be occupied for the parking and storage of more than five motor vehicles, *on condition* that only automobiles of the pleasure car type shall be so stored or parked; that the plot shall be leveled substantially to the grade of 48th street and covered with steam cinders or other suitable material, properly rolled and bound to prevent dusting and graded to provide surface drainage; that unless a proper legal retaining wall is constructed on the rear lot line, no cars shall be parked within five (5) feet of the rear line of the property that a curb shall be erected at that point to prevent cars from being parked nearer than five feet to the rear property line; that on interior lot lines where walls of adjoining buildings do not occur, there shall be erected a substantial woven wire fence not less than six feet in height; that a similar fence shall be erected along the street building line of 48th street, except for one entrance, as indicated on plans, toward Queens boulevard, which shall be not over 20 feet in width with a curb cut

opposite of similar width; that during the term of this variance, the premises shall be used for no other use and no building shall be erected thereon, except a small office and shelter for the attendant, not exceeding 150 square feet in area and not over one story in height; that this shelter may be of frame construction; that such portable fire-fighting appliances shall be maintained as the Commissioner may direct; that aisles shall be maintained at all times to permit easy ingress and egress; that no signs shall be erected on the premises other than a neat sign at the entrance, advertising the parking and storage use; that such sign shall not exceed 15 square feet in area and shall not be illuminated, nor extend beyond the building line; that any lights erected for general illumination shall be on post standards and equipped with metal reflectors to reflect away from the adjoining occupancies to the north and west; that all permits required shall be obtained and all work completed within three months from the date of this resolution.

392-38-BZ.

APPLICANT—I. L. Crausman, for Townlee Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district the elevation of a rear yard above the limit fixed by the building zone resolution.

PREMISES AFFECTED—2776 Jerome avenue, east side, 200 ft. north of East 196th street (Block No. 3318, Lot Nos. 15 to 19, inclusive), Borough of The Bronx.

APPEARANCES—

For Applicant: I. L. Crausman.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(392-38-BZ)

WHEREAS, I. L. Crausman, for Townlee Realty Corporation, owner, filed May 20, 1938, an application under the building zone resolution to permit in a residence use district, the elevation of a rear yard above the limit fixed by the building zone resolution; Premises: 2776 Jerome avenue, east side, 200 ft. north of East 196th street (Block No. 3318, Lot Nos. 15 to 19, inclusive), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 28, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jerome avenue is in a business, residence and unrestricted use district; Morris avenue is in a residence use district; 196th street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated April 28, 1938, re N.B. No. 658-37, reads:

"1. Yard may not extend above terrace level."

and

WHEREAS, the building is to be of non-fireproof construction six (6) stories in height, with a frontage of 125 ft., and a depth of 103 ft. 2 in., to be occupied as a Multiple Dwelling, and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 as to the variation of the area requirements of the zone resolution so as to permit the yard to be raised above the curb level to a point not higher than one ft. below the level of the main floor of the building facing on the yard, *on condition* that in all other respects all requirements of the building zone resolution and Multiple Dwelling Law shall be complied with.

73-38-BZ.

APPLICANT—J. J. Gloster, for Sears, Roebuck & Co., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—2420 Bedford avenue and 2301-2323 Beverly road, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. J. Gloster and Mr. Widbrech.

For Opposition: Maxwell J. Hamburger, Catherine Mullin, A. L. Meyer and Salvatore Brunetti.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(73-38-BZ)

WHEREAS, J. J. Gloster, for Sears, Roebuck & Co., owner, filed February 4, 1938, an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; Premises: 2420 Bedford avenue and 2301-2323 Beverly road, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 28, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bedford avenue is in a business, unrestricted and residence use district; Beverly road is in a business and residence use; Tilden avenue is in an unrestricted and business use and East 22nd street is in a business, unrestricted and residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated January 10, 1938, reads:

"May I further advise that the above mentioned premises is in a business zone, and therefore, your application for the parking of more than five cars will be denied so that you can take the matter before the Board of Appeals."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 360 ft. on Beverly road and 488 ft. 10 in. on Bedford avenue. Upon the southeast corner of the plot there is located a three story department store and on the north portion of the plot there is located a battery service and lubritorium structure. It is proposed to use the remainder of the plot for a temporary period of two years, for parking more than five motor vehicles, the property of patrons of the department store; no charges made for parking; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that this was a proper case to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7h, for a temporary period of two years from the date of this action, to permit that portion of lot 14 unbuilt upon, to be used for the transient parking of more than five motor vehicles, *on condition* that only automobiles of the pleasure car type shall be so parked, with no prohibition, however, as to the entrance of trucks and automobiles required for the servicing of the department store; that the plot shall be leveled substantially to the grade of surrounding streets and surfaced with steam cinders or other suitable material, properly rolled and bound so as to prevent dusting and graded so as to provide surface drainage; that on the lot lines, where walls of adjacent buildings do not occur, there shall be erected a substantial woven wire fence not less than 5 ft. in height; that the openings shall be limited to one to Beverly road and two to Bedford avenue, as indicated on plans filed with this appeal; that these openings shall not exceed 20 ft. in width with curb cuts opposite of a similar width; that this lot shall be used exclusively for the employes and patrons of Sears, Roebuck and Co., occupying the department store at the corner of Beverly road and Bedford avenue; that it shall be a requirement that the employes shall be permitted and instruced to park their cars on this lot; that no signs shall be erected on the premises other than neat directional signs at the entrances; that such signs shall not exceed 15 sq. ft. in area; that this parking lot shall be opened only during the hours that the department store is open for business; that the service building toward the north shall comply with the requirements of the resolution of the board under Cal. No. 621-37-A; and that all permits shall be obtained and all work completed within three months from the date of this action.

315-38-BZ.

APPLICANT—Joel D. Marder, for Presbyterian Hospital in The City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution to permit partly in a residence use district and partly in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—601 West 165th street, northwest corner of Broadway (Block No. 2138, part of Lot No. 40), Borough of Manhattan.

APPEARANCES—

For Applicant: Cornelius J. Sullivan and Joel D. Marder.

For Opposition:: Charles H. Pape, Irwin Stern and Aaron Rodbell.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(315-38-BZ)

WHEREAS, Joel D. Marder, for Presbyterian Hospital in the City of New York, owner, filed April 29, 1938, an application under the building zone resolution to permit partly in a residence use district and partly in a business use district the parking and storage of more than five (5) motor vehicles; Premises: 601 West 165th street, northwest corner of Broadway (Block No. 2138, Lot No. 40), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 28, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 165th street is in a residence and business use district; Broadway is in a business and residence use district and Fort Washington avenue is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated April 27, 1938, reads:

> "Your application for certificate of occupancy for the use of the above premises for the parking and storage of more than 5 motor vehicles has been denied, for the reason that the premises is located partly in a business district and partly in a residence district. This occupancy is prohibited by section 4a sub-division 15, article II of the zone resolution."

and

WHEREAS, the premises, part of a larger plot of ground and within 170 ft. of a hospital located on said larger plot, consists of a plot of ground having a frontage of 137 ft. on West 165th street and 144 ft. on Broadway. The westerly portion of the plot extends for a distance of 37 ft. into the residence use district the remainder is in a business use district. It is proposed to occupy the plot for the storage and parking of more than 5 motor vehicles; the property of doctors and employes of the hospital, no charge for parking; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board; and

WHEREAS, the board deemed that this was a proper case to exercise its discretion under section 7, subdivision h and section 21 of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted,* under section 7h, as to the operation of the premises in a business district, and as to section 21, as to balance of premises within the residential area, for a term of two years to permit the portion of Lot 40 under appeal to be used for the transient parking of more than five motor vehicles, *on condition* that such parking shall be restricted to automobiles of the doctors and employees of the hospital; that no parking shall be permitted, except such as is duly authorized by the hospital authorities; that the plot shall be levelled substantially to the grade of surrounding streets and shall be surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting; that the plot shall be surrounded on all sides by masonry walls or substantial woven-wire fence with no opening, except the existing opening from West 165th street, at which point there shall be a gate, controlled by an attendant, who shall be delegated by the Police Department to control the operation of the parking lot within the requirements herein set forth and to supervise incoming and outgoing cars across the sidewalk; that the fence along West 165th street shall be supplemented by masonry or other material so as to prevent reflection of light from automobiles; that no building shall be erected on premises, except a shelter, which may be of frame construction, not over 150 sq. ft. in area and not over one story in height, near the entrance for the use of the attendant; that this parking lot shall be opened only from the hours of 7:00 A. M. to 8:00 P. M., except that at other times cars may be permitted to be parked in emergency cases when permitted by the hospital authorities; that except during the hours of 7:00 A. M. to 8:00 P. M., the gate shall be normally locked; that the curb cut opposite the entrance shall not exceed 20 ft. in width; that there shall be no signs and no lights erected on the premises; that proper aisles shall be maintained at all

times for entrance and exit of cars; that all cars shall be parked in an easterly and westerly direction and generally toward the northerly end of the plot; that such portable, fire-fighting appliances shall be installed as the commissioner shall direct; and that all permits shall be obtained and all work shall be completed within two months from the date of this action.

Adjourned, 12:00 m.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, JUNE 28, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

388-37-BZ.

APPLICANT—Samuel Rosenblum, for W. P. A. Realty Corporation, owner.

SUBJECT—Application reopened June 7, 1938, for consideration of an amendment to resolution to permit storage of more than five (5) motor vehicles—re application (decision of the commissioner of buildings), previously granted on condition, under section 7h of the building zone resolution, permitting, for a period of not more than two (2) years, in a business use district, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—2159 White Plains avenue, west side, 400 ft. south of Pelham parkway south (Block No. 4317, Lot No. 56), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum and Morris Bilitzky.

For Opposition: Sol A. Herzog, Archer Scherl, Nathan Mandel, and others.

ACTION OF BOARD—Laid over to July 12, 1938, at 2 P. M. for inspection by committee of board and further consideration by the board.

426-37-BZ.

APPLICANT—George Edward Beatty, for St. Francis de Sales Church, owner.

SUBJECT—Application for consideration—reopening and amendment—(re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use and "F" area district the further extension of an existing school building in excess of the area permitted under the building zone resolution.

PREMISES AFFECTED—201-235 Beach 129th street, 202-216 Beach 130th street and 129-02 to 129-16 Rockaway Beach boulevard (Block No. 727, Lot Nos. 22, 26, 28, 41 and 47), Belle Harbor, Borough of Queens.

APPEARANCES—

For Applicant: George Edward Beatty.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

1266-25-BZ.

APPLICANT—Irving Kirshenbilt, for Max M. Leader, owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—668-672 New Lots avenue, southwest corner of Jerome street (Block No. 4307, Lot No. 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving Kirshenblit.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

570-37-BZ.

APPLICANT—Sol Levine, for New York Post Graduate Medical School & Hospital, owner.

SUBJECT—Application for reopening—re consideration—restoration to Calendar re application (re decision of the commissioner of buildings) under sections 21, 7h and 7c of the building zone resolution, to permit the use of a plot of ground which is located within 200 feet of a hospital as a parking space for more than 5 motor vehicles.

PREMISES AFFECTED—328-334 East 21st street, south side, 220 ft. west of First avenue, (Block No. 926, Lot Nos. 50-53), Borough of Manhattan.

APPEARANCES—

For Applicant: Sol Levine.

ACTION OF BOARD—Application reopened and restored to calendar, subject to usual procedure.

THE VOTE TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

1066-25-BZ.

APPLICANT—Roland Lievendag, owner.

SUBJECT—Application reopened June 7, 1938, for consideration as to extension of time and amendment to resolution—re application (decision of the commissioner of buildings) previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the alteration of a garage for more than five (5) motor vehicles (with permit for sale of gasoline) which was granted by the board on March 30, 1926 (and extended into the residence district under Cal. No. 74-28-BZ), so as to form an alcove gasoline station.

PREMISES AFFECTED—Northwest corner of 46th (Queens) avenue and 164th (24th) street (Block No. 5442, Lot No. 81), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Roland Lievendag.
For Opposition: None.
ACTION OF BOARD—Resolution amended.
THE VOTE TO AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1066-25-BZ)

WHEREAS, this application affecting premises northwest corner of 46th avenue (Queens avenue) and 164th street (24th street) (Block No. 5442, Lot No. 81), Flushing, Borough of Queens, was granted by the board for a garage March 30, 1926, on certain conditions and amended to extend the garage into the residence use district under Cal. No. 74-38-BZ, April 2, 1928; further amended July 16, 1935; September 10, 1935; and

WHEREAS, the owner requested a reopening of the application to omit the requirement that there shall not be more than one entrance to the garage from Queens avenue; and

WHEREAS, the application was reopened by vote of the board June 7, 1938.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of March 30, 1926, as amended July 16, 1935, and September 10, 1935, so that as amended this resolution will read:

"*Resolved,* that the resolution permitting the erection of the garage adopted by the board on March 30, 1926, and the extension of the garage permitted by resolution adopted by the board on April 2, 1928, under Cal. No. 74-28-BZ, be and it hereby is *amended* by adding thereto the following:

"that the front wall of the garage constructed in accordance with the requirements of Cal. No. 1066-25-BZ, may be reconstructed and set back for a depth of approximately 12 feet, as indicated on plans filed, marked 'received April 18, 1935', to provide for a gasoline selling area along 46th avenue, known as Queens avenue, *on condition* that this area shall be substantially at the level of Queens avenue and shall be cement paved; that no gasoline pumps shall be erected except in the alcoves indicated in the new front wall; that these alcoves shall be built of brick with no openings therefrom into the garage; that the entrances to the garage from Queens avenue *may be arranged as indicated on revised plan marked "Received June 3,* 1938"; that curb cuts from 164th street shall not exceed in width and number those now existing; that no portable gasoline pumps shall be used on or from the premises; that any automobile repairing carried on in the premises shall be limited to the use of manual tools and motor driven tools requiring not more than ½ h.p. each and excluding the use of acetylene torches, forges and anvils; *that all permits shall be obtained and all work completed within one year from the date of this amended resolution;* that other than as amended herein, the resolution adopted by the board on March 30, 1926, under Cal. No. 1066-25-BZ, as extended by resolution adopted on April 2, 1928, under Cal. No. 74-28-BZ shall be complied with in all respects."

530-37-BZ.

APPLICANT—Otto F. Semsch, for Ernest Flagg, owner.
SUBJECT—Application (re decesion of the tenement house commissioner), under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use.
PREMISES AFFECTED—7202-7224 Ridge boulevard, west side, from 72nd street to 73rd street, 158-190 72nd street and 181-191 73rd street (Block No. 5906, Lot No. 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Otto F. Semsch and A. Andersen.
For Opposition: James J. Creehan and others.
For Administration: S. Cohen, Department of Housing and Buildings.
ACTION OF BOARD—Application denied.
THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commisisoners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(530-37-BZ)

WHEREAS, Otto F. Semsch, for Ernest Flagg, owner, filed November 3, 1937, an application under the building zone resolution to permit in a resident use district the conversion of occupancy of part of an existing dwelling to business use; Premises: 7202-7224 Ridge boulevard, west side, from 72nd street to 73rd street, 158-190 72nd street and 181-191 73rd street (Block No. 5906, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, June 28, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Ridge boulevard, 72nd street and 73rd street are in a residence use district; and

WHEREAS, the decision of the Tenement House Commissioner, dated October 5, 1937, reads:

"Your attention is called to the fact that the above premises of which you are reported to be the Owner, does not conform to the provisions of the Multiple Dwelling Law in the particulars herein specified, necessitating the issuance of the following orders:

Items:

13—Discontinue the use as business establishments the spaces in cellar at the following locations:

A—Barber shop at southeast corner of Unit 3.
B—Dress shop at southeast corner of Unit 5.
C—Gift shop at southwest corner of Unit 5.
D—Shoe repair shop at southwest corner of Unit 5.
E—Tailor shop at southwest corner of Unit 5.
F—Bowling alleys at south of Unit 2.

Such use is prohibited by and is in violation of article 2, Section 2 and 3 of the Zoning Resolution.

14—In violation of Sections 300 and 302 of the Multiple Dwellings Law and Section 5, Chapter 5, Article 1 of the Code of Ordinances of the City of New York, the following occupancy and use of the above premises exists and is being carried on contrary to C. I. 80093 issued 11-14-36:

A—Barber shop in cellar at southeast corner of Unit 3.
B—Dress shop in cellar at southeast corner of Unit 5.
C—Gift shop in cellar at southwest corner of Unit 5.
D—Shoe repair shop in cellar at southwest corner of Unit 5.
E—Tailor shop in cellar at southwest corner of Unit 5.
H—Bowling alleys in cellar at south of Unit 2.
I—Restaurant in cellar at northwest corner of Unit 4.
K—Beauty parlor at northeast corner of 1st story of Unit 2.

Items 4, 5, 6, 7, 8, 9, 10, 11, 12 are also pending and must be complied with."

and

WHEREAS, the building is of fireproof construction, nine

(9) stories in height, with a frontage of 200 ft. on Ridge boulevard and 460 ft. on 72nd street; occupied as a Class A multiple dwelling apartment house, each apartment furnished and arranged so that the family occupying same can do their cooking on the premises; this multiple dwelling was erected part in 1932 and part in 1935 and occupied under Certificate of Occupancy No. 70436 dated March 8, 1933, and No. 80093 dated November 17, 1936. It is proposed to occupy (in addition to the residence uses) the building with the business uses as noted in the decision of the Tenement House Commission dated October 5, 1937; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report reads as follows:

REPORT OF COMMITTEE

Re: Cal. No. 530-37-BZ.
Premises: 7202-7224 Ridge boulevard, 158-190 72nd street,, 181-191 73rd street, Borough of Brooklyn.
June 27, 1938.

The building, known as Flagg Court, involved in this application for a zoning variance under Section 21, is a nine-story fireproof Class A Multiple Dwelling, occupying the easterly portion of Block No. 5906, bounded by Ridge boulevard, 72nd street, 73rd street and Colonial road. It is in a district restricted to residential use. The district so zoned is of considerable area, the nearest business use districts being at Third avenue and at 69th street (also known as Bay Ridge avenue), each about 700 ft. distant from the premises under appeal.

The Tenement House Commissioner, under date of October 5, 1937, ordered discontinuance of certain business establishments as contrary to Article 2, Sections 2 and 3 of the Zoning Resolution, as follows: Barber shop, dress shop, gift shop, shoe repair shop, tailor shop and bowling alleys, and that these uses together with a restaurant and a beauty parlor are also contrary to sections 300 and 302 of the Multiple Dwelling Law and Section 5, Chapter 5, Article 1 of the Code of Ordinances. The references to the Multiple Dwelling Law and the Code of Ordinances (now included in the Administrative Code) are given because these uses are not included in the outstanding certificate of occupancy, No. 80093, issued November 17, 1936, which superseded all previously issued certificates. The applicant asks that a zoning variance be granted to permit all these uses.

Except for the beauty parlor, which occupies a street floor apartment facing Ridge boulevard, all the uses included in this application now occupy cellar spaces fronting an interior court.

The hardship claimed is that these uses are necessary conveniences for the tenants and that the cellar space would otherwise be unoccupied, depriving the owner of the rentals, thereby causing financial loss. It is also claimed that this building is operated like a hotel in which similar uses would be permitted.

A hotel is a permitted use in a residence district and the law permits such a building with its usual accessories. Some of these uses may be "usual accessories" in a hotel, but they cannot be deemed "usual accessories" in an apartment house which is a Class A Multiple Dwelling. A restaurant can properly be considered a usual accessory use in a hotel, but not in an apartment house. The hotel has more or less transient occupancy—the apartment house is more or less permanent. As cooking facilities are not provided in hotel rooms, it is proper to permit a restaurant in the hotel building solely for the tenants, but not for outside patronage. In People v. Milray, the Court required all exterior signs advertising the Ship Grille restaurant, located in the Murray Hotel in a residence use district, to be removed as evidence of a *public* restaurant being operated as a business contrary to the provisions in Section 3 of the Zoning Resolution, which provides that "the term 'accessory use' shall not include a business." The Murray Hotel was advertised as an apartment hotel under which the law prevailing in 1928 required it to be non-housekeeping, i.e., without cooking facilities. For that reason the restaurant, for the convenience of the tenants of the building, was a proper accessory use.

Flagg Court is not a hotel and there is no justification in classing any of these uses as usual accessories in an apartment house. All these uses are being operated as businesses and are clearly illegal under the Zoning Resolution.

No basis of practical difficulty or unnecessary hardship has been presented to justify the granting of a zoning variance. It makes no difference that some of these uses do not face directly on the public street. They are, nevertheless, business uses and likely to be extended, if permitted to continue. In fact, such extension has already taken place, to the discomfiture of the neighboring property owners, particularly those on 73rd street, who are annoyed because of the servicing of the restaurant and the operation of the gift shop, which now dispenses refreshments up to late hours of the night.

As the proposed additions along 73rd street are not yet constructed, the view and noise of these business uses are objected to by all the owners on that street. The owners in the entire area of notification are generally in opposition to the proposed variance and have stated their reasons on the objections filed. The only consents are from the same interests that control the building under appeal and who are also owners of adjacent properties.

As the Board stated in its committee report in connection with the appeal, Cal. No. 149-37-BZ, as to the proposed continuation of the business of an instructor of dancing—"This building was constructed on property zoned for residential uses, of which the owner must have been fully aware. An owner is not entitled to the additional income accruing from non-permitted uses that are denied others in the same residential district. . . . Granting this variance would result in application for similar business uses throughout the restricted area in other multiple dwellings and which, if granted, would defeat the general purpose of the Zoning Resolution." To permit these business uses would be detrimental to the business properties in the nearby area which pay taxes based on the privileges of the business zone. The application under Cal. No. 149-37-BZ was unanimously denied by the Board on October 19, 1937, and is now subject to court review on a writ of certiorari.

The beauty shop is being operated as a business with various equipment and having a number of employees and it cannot be considered as coming under a permitted home occupation, which Mr. George B. Ford, as consultant to the Zoning Commission, in his unofficial notes stated might be permitted in a residential district. His guarded language indicates clearly that this should not be allowed to apply to other than the individual carrying on the profession. When the profession or home occupation requires the employment of helpers, the use is a business and should be discontinued.

Upon examination of the records of the Tenement House Department and the Department of Health, the committee finds that the Department of Health has issued certain permits on the conditional approval of the Tenement House Department that the use will be a permitted accessory use under Article 2 of the Zoning Resolution. In the opinion of the committee, these permits issued by the Health Department cannot be relied upon as evidence of legal approval of the business uses.

Under Cal. No. 133-38-A, the committee, in reporting as to the swimming pool, decided it was a proper and usual accessory use, and, in the opinion of the committee, the bowling alleys could be classed as a recreational accessory of the building, provided they are for the use of the tenants only and not operated as a business.

In the opinion of the committee, this application for a zoning variance to permit the business use of barber shop, dress shop, gift shop, shoe repair shop, tailor shop, bowling alleys restaurant and beauty parlor should be denied.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

and

WHEREAS, this report recommended the denial of the application and the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the Tenement House Commissioner, dated October 5, 1937, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

39-34-BZ.

APPLICANT—Murray B. Hillman, for Dale Carnegie, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a residence use district the change of occupancy of an existing building to business use (restaurant) for a temporary period.

PREMISES AFFECTED—Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: Murray B. Hillman.
For Opposition: Walter J. Murphy.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(39-34-BZ)

WHEREAS, this application affecting premises, northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens, was granted by the board June 26, 1934, on certain conditions, time extended October 2, 1934, January 8, 1935, and permit extended June 23, 1936, and applicant requests a two year extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted by the board on June 26, 1934, as amended by resolution adopted June 23, 1936, only so far as it has reference to term of permit, so that as amended the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted,* under section 21, permitting the existing building to be used as a public restaurant for a period of two years from the date of this action, June 28, 1938, *on condition* that the building shall not be increased in height or area; that all service shall be within the building and not on the grounds; that a legal restaurant permit shall be obtained; that no application shall be made nor permit issued for the sale of alcoholic beverages other than light wines and beer; that the restaurant shall not be operated or permitted to remain open after midnight; that the owner shall file with this board and with the commissioner of buildings of the Borough of Queens an agreement properly executed by the duly authorized officers of the owning corporation setting forth that this building will be maintained at all times in a respectable manner and in a way to avoid its becoming a nuisance to the owners of the neighboring properties; that it will request the neighboring owners to appoint a committee of three to supervise in cooperation with the owner, the operation of the restaurant to the end that the restaurant will be operated so as to obviate objections and complaints from the nearby owners; also that in the event that this committee finds that the restaurant is not being operated in that manner, that, upon the filing with this board of an appeal requesting the rescindment of the resolution and a revocation of the certificate of occupancy issued or to be issued by the commissioner of buildings, this application for revocation of permit and certificate of occupancy will not be opposed by said owning corporation in the event that this board finds that a nuisance exists and that the nearby residents are justified in their complaint; that such musical instruments as are used on the premises shall be limited to stringed instruments; that no parking of cars shall be permitted along the southerly side of Pembroke avenue; that the necessary certificate of occupancy and the restaurant permit shall be obtained."

9-38-BZ.

APPLICANT—Albert C. Benson, for John DiBlasi, owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, permitting in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—98-02 to 98-08 Northern boulevard, southeast corner of 98th street (Block No. 1713, Lot No. 1), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Albert C. Benson.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(9-38-BZ)

WHEREAS, A. C. Benson, for John Di Blasi, owner, filed January 5, 1938, an application under the building zone resolution to permit in a business use district the extension of an existing service station; Premises: 98-02 to 98-08 Northern boulevard, southeast corner of 98th street (Block No. 1713, Lot No. 1), Corona, Borough of Queens; and

WHEREAS, this application was granted by the board April 12, 1938, and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted April 12, 1938, so that as amended it shall read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under sections 7C and 21, to permit the existing use of the premises under appeal to be extended and the plot occupied as a gasoline service station, *on condition* that all existing buildings now on the plot shall be completely removed; that the plot shall be leveled substantially to the grade of Northern boulevard and 98th street; that the accessory building shall be erected toward the southerly side of the premises; that this building shall not exceed one story in height and shall be arranged for office, car washing and car greasing; that this building shall be constructed of fireproof materials, except that the roof beams, roof boarding, window frames and sash, door frames and doors may be of wood, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals; that the roof weather surfacing shall be of non-inflammable material; that there shall be no openings in the walls to the adjacent premises; that the heater room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior of the building; that the greasing and washing racks shall be only of the hydraulic type; that any skylights erected shall be constructed of metal frames and glazed with wire glass; that the balance of the premises, where not occupied by accessory buildings, shall be cement paved; that there shall be erected along the easterly lot line from the accessory building to the street line of Northern boulevard, a masonry wall constructed of face brick, not less than 8 ft. in height; that entrances to the premises shall be limited to two from Northern boulevard, each 30 ft. in width and one from 98th street of a similar width; that there shall be erected on the street building line at the easterly end, a concrete curb not less than 5 ft. in length from the interior lot line and not less than 12 inches in width and height; that there shall be erected at the intersection of Northern boulevard and 98th street a similar curbing, extending for a distance of 5 ft. in either direction from the intersection; that gasoline pumps erected shall be not nearer than 15 ft. to the center of the pump unit from the building line; *that the gasoline pumps may be of the design in general compliance with this Resolution, as indicated on plans marked 'Received June 22, 1938, in place of the pumps as indicated in plans on working drawings marked 'Received April 7, 1938' and approved on April 12, 1938, for general arrangement and design;* that gasoline storage tanks and pipe installation shall be constructed of new material only; that the vents from the gasoline storage tanks shall be carried up above the roof of the accessory building and shall be not nearer than 10 ft. to any opening in the adjoining building; that signs shall be limited to the illuminated globes of the pumps and to a permanent flat sign attached to the facade of the accessory building, excluding all roof signs and all temporary signs, but permitting the erection within the building line near the intersection, of a post standard for supporting signs which may be illuminated, advertising only the brand of gasoline on sale, provided such signs do not extend beyond the building line for a distance of not more than 5 ft.; that no automobile repairing shall be carried on and no parking or storage of automobiles, other than those being serviced; that lights for general illumination shall be on post standards with metallic reflectors arranged so as to reflect toward the center of the premises and away from the adjoining occupancies; that all permits shall be obtained and all work completed within one year from the date of this action; and that working drawings, marked "Received April 7, 1938" are hereby approved for general arrangement and design, as being in compliance with the terms of this resolution."

42-37-BZ.

APPLICANT—Alfred H. Eccles, for Camager Corporation, owner.

SUBJECT—Application for consideration — reopening, amendment and extension of time—re application (decision of the commissioner of buildings) under section 7c of the building zone resolution, permitting in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—89-06 to 89-14 Myrtle avenue and 82-02 to 82-10 Woodhaven boulevard, southwest corner (Block No. 3866, Lot No. 160), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: William Byrd.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(42-37-BZ)

WHEREAS, Alfred H. Eccles, for Camager Corporation, owner, filed February 4, 1937, an application under the building zone resolution to permit in a business use district the extension of an existing gasoline service station; premises: 89-06 to 89-14 Myrtle avenue and 82-02 to 82-10 Woodhaven boulevard, southwest corner (Block No. 3866, Lot No. 160), Glendale, Borough of Queens; and

WHEREAS, this application was granted by the board May 18, 1937, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted May 18, 1937, only so far as it has reference to the requirements as to distance of the openings from the corner formed by Woodhaven boulevard and Myrtle avenue and as to completion so that as amended this portion of the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7-C to permit the existing gasoline station area to be increased to a total frontage along Woodhaven boulevard of 68 ft. 10 in. and a total frontage along Myrtle avenue of 100 ft., as indicated on revised plans marked 'Received May 18, 1937', and to use this entire area as a gasoline selling station, *on condition* that the plot shall be graded substantially to the grade of Myrtle avenue and Woodhaven boulevard; that all existing buildings, structures and gasoline pumps shall be removed; that the accessory building shall be not over one story in height and shall be located as indicated toward the westerly portion of the plot and shall be arranged for office, lubritorium and auto laundry; that this building shall be constructed of fireproof materials except that the roof beams, roof boarding, door frames and doors, window frames and sash, except those facing westerly, may be of wood, provided the ceiling throughout is fire retarded in accordance with the Rules of the Board of Standards and Appeals and the roof is weather surfaced with non-flammable material; that the boiler room shall be entered from the exterior and shall be separated from the balance of the building by fireproof construction; that there shall be

a brick wall constructed on the southerly interior lot line continuously from Woodhaven boulevard to the westerly lot line; that this brick wall shall not be less than 7 ft. in height except that it may be constructed 4 ft. in height where it meets Woodhaven boulvard, including a 5 ft. return along Woodhaven boulevard street line and be graduated at the rate of 1 ft. in 4 ft. to the 7 ft. height; that along the westerly lot line there shall be constructed a substantial iron picket fence not less than 7 ft. in height; that the areas indicated along the southerly wall and at the corner of Woodhaven boulevard and Myrtle avenue and to the north of the accessory building along Myrtle avenue shall be landscaped and the areas shall be protected by concrete curbing not less than 8 in. in width and 8 in. in height and the boxwood hedge shall be maintained along the street fronts in these planted areas and other suitable planting shall be maintained at all times as approved by the Department of Parks; that the balance of the plot, where not covered by the accessory building walls and planted areas, shall be cement-paved; that gasoline pumps shall be installed not nearer than 21 ft. to the Woodhaven boulevard building line and not nearer than 18 ft. to the Myrtle avenue building line; that the gasoline pumps shall be of the parkway type with masonry pedestals; that entrances to property shall not exceed two (2), one to Woodhaven boulevard not over 43 ft. in width, with curb cut opposite of equal width, and opening and curb cut 40 ft. in width to Myrtle avenue; that no opening shall be nearer to the corner formed by the intersection of Woodhaven boulevard and Myrtle avenue than *10* ft.; that the accessory building and wall shall be constructed of red Colonial face brick with natural mortar joints and of the design as indicated on revised plans marked 'Received May 18, 1937' with building trim painted ivory color and so maintained; that the sloping roofs shall be of slate; that no automobile repairing shall be permitted on the premises; that there shall be no parking of cars other than those being serviced; that no portable tanks shall be used on or from the premises; that all advertising shall be restricted to the illuminated globes of the gasoline pumps and to non-illuminated signs attached to the front of accessory building, excluding all temporary signs and all roof signs, but permitting the erection of post standard within the building line, near the intersection of Woodhaven boulevard and Myrtle avenue, for supporting a non-illuminated sign advertising only the brand of gasoline sold, such sign shall not extend beyond the building line for a distance of more than 4 ft.; that complete working drawings shall be submitted to the board and approved by the chairman in behalf of the board before same are filed with the commissioner of buildings; and that all plans shall be filed within two months and *that* all permits shall be obtained and work completed within one year *from the date of this amended resolution.*"

APPEALS FROM ADMINISTRATIVE ORDERS

494-38-A.

APPLICANT—Francis Seaman, for New York City Omnibus Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—721-729 Lenox avenue, west side, from West 146th street to West 147th street, 101-165 West 146th street and 100-164 West 147th street (Block No. 2015, Lot No. 6), Borough of Manhattan.

APPEARANCES—

For Applicant: Francis Seaman and Edmund C. Collins.

ACTION OF BOARD—Laid over to July 12, 1938, at 2 P. M. Applicant to submit new drawings.

505-38-A.

APPLICANT—Miniature Photo Laboratories, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—625 Lexington avenue, east side, 100 ft. south of East 54th street (Block No. 1308, Lot No. 21), Borough of Manhattan.

APPEARANCES—

For Applicant: E. Brueckner.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Laid over to July 12, 1938, at 2 P. M., for inspection by a committee of the board.

484-38-A.

APPLICANT—Kleen Wiping Materials Co., for Isidore Klein, lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—315 East 137th street, north side, 200 ft. west of Alexander avenue (Block No. 2313, Lot No. 31), Borough of The Bronx.

APPEARANCES—

For Applicant: Isidore Klein.

For Administration Inspector Meyer, Fire Dept.

ACTION OF BOARD—Laid over to July 12, 1938, at 2 P. M. for inspection by a committee of the board.

310-38-A.

APPLICANT—Benjamin Braunstein, for Forest Queens Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—110 70th avenue, north side, 104 ft. east of Queens boulevard (Block No. 2214, Lot No. 40), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn on written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

515-38-A.

APPLICANT—Max Horn, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—133-135 Beach 72nd street, west side, 660 ft. south of Rockaway Beach boulevard (Block No. 608, Lot No. 89), Arverne, Borough of Queens.

APPEARANCES—

For Applicant: Max Horn.

For Opposition: Irving Klein.

ACTION OF BOARD—Appeal withdrawn upon request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

133-38-A.

Applicant—Otto F. Semsch, for Ernest Flagg, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED — 7202-7224 Ridge boulevard, west side, between 72nd street and 73rd street, 158-

190 72nd street and 181-191 73rd street (Block No. 5906, Lot No. 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: Otto F. Semsch and A. Andersen.
For Opposition. James J. Creehan and others.

ACTION OF BOARD—Appeal granted in accordance with report of committee.

THE VOTE TO GRANT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(133-38-A)

WHEREAS, Otto F. Semsch, for Ernest Flagg, owner, filed February 28, 1938, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 7202-7224 Ridge boulevard, west side, between 72nd and 73rd streets, 158-190 72nd street and 181-191 73rd street (Block No. 5906, Lot No. 1), Borough of Brooklyn, and

WHEREAS, the decision of the acting borough superintendent, dated April 20, 1938, re. Applic. No. 1402/38, reads:

"1 This application will not be considered until the questions involving various uses now subject of adjudication before the Courts and Board of Standards and Appeals are disposed of."

and

WHEREAS, the premises consist of a plot of ground 200 ft. by 460 ft. in area, upon which there is erected a series of 9 story Class A multiple dwellings and a swimming pool, all located in a residence use district; and

WHEREAS, the applicant contends that the swimming pool has been constructed in accordance with plans and applications filed with the Building Department and duly approved by it; that a certificate of occupancy was issued for the building and its accessories; that the swimming pool is an accessory and its use should be permitted as it would be a great hardship to be deprived of its use this coming spring; and

WHEREAS, this appeal was referred to a Committee of the Board, whose report recommended granting, provided the swimming pool was not operated as a business and was used by the tenants without charge, the report reading:

REPORT OF COMMITTEE

Re: Cal. No. 133-38-A.
Premises: 7202-7224 Ridge boulevard, 158-190 72nd street, 181-191 73rd street, Brooklyn.

June 27, 1938.

This is an appeal from the decision of the Borough Superintendent of Buildings who has refused to issue a certificate of occupancy for a swimming pool until the Board and the Courts have passed upon certain uses in the building. The Board has considered these uses under Calendar No. 149-37-BZ, which is now subject to court review because of the Board's denial of the variance sought and under Calendar No. 530-37-BZ to be acted upon at the meeting of June 28, 1938. The description of the building and the surroundings are set forth in the reports of committee in these two applications.

The swimming pool is located in the Central inner court of the apartment house and was shown on the plans submitted to the department and approved. The only question that has been previously raised was at the time of the issuance of the certificate of occupancy No. 70436 on March 8, 1933. On that certificate there appears the notation "In Court is swimming Pool—not to be used." The committee understands that this notation was made because the pool was not completed at that time. A superseding certificate of occupancy and the one now in force No. 80093, issued November 17, 1936, after an alteration and extension of the building has no notation as to the swimming pool. It is understood that it was used after completion without being questioned as to its legality.

In the opinion of the committee it is not necessary that a separate certificate of occupancy should be issued for the swimming pool or that it should be included in the certificate of occupancy for the buildings. It is a part of the multiple dwelling as much as any other convenience or utility provided by the landlord for the comfort of the tenants consistent with the restrictive provisions of the zoning resolution. Many apartment houses have been provided with swimming pools for the use of tenants. Often these are constructed indoors instead of in an open court but in either case a swimming pool can be classed as a use customarily incident to a residential building of the type of Flagg Court which is a class A Multiple Dwelling. Its use, however, must not be as a business and must be for the use of the tenants only. The owner is not entitled to make a business out of its operation by charging fees for its use either directly or under guise of a club controlled by the owner.

This pool has a permit No. 415.415 issued by the Department of Health, July 7, 1936, and apparently still in force and upon the permit is the notation "Pool is for use of tenants only—no fee is charged."

This permit supersedes one issued on July 18, 1933

The record indicates that the operation of this pool has become objectionable to adjoining owners, partly because of business activity that the owner has allowed to creep in and the operation of the pool itself. It appears that while an attempt has been made to control the users through membership in the Flagg Court Club, outsiders have not been denied use of the pool and that the pool has been used up to late hours causing unwarranted disturbance to adjoining property owners. A proper barricading wall should be constructed to shield this pool from the street and to minimize the objectionable features. Neighboring owners are entitled to this protection and to be assured that if this pool is to be permitted as a usual accessory for the use of the tenants that the department will require it be operated under proper conditions. If the pool is not operated in accordance with the requirements so as to be unobjectionable within reason to surrounding owners, the Department having jurisdiction could be justified in requiring its use discontinued.

The committee recommends that the application be granted in accordance with this report.

(Sgd.) HARRIS H. MURDOCK,
Chairman.

CHARLES M. BLUM,
BERNARD A. SAVAGE,
PATRICK WALSH,
Committee.

and

WHEREAS, this report recommended the granting of this appeal on certain conditions.

Resolved, that the decision of the Acting Superintendent of Buildings in acting on Application No. 1402-38, be and it hereby is *modified* and the appeal be and it hereby is *granted* in accordance with the stipulations set forth in the report of the Committee of the Board.

430-38-A.

APPLICANT—Paul Friedman for Isidor Skolnik, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—3081-3091 Avenue T and 2084 Stuart street, northwest corner (Block No. 7518, Lot No. 40), Borough of Brooklyn.

MINUTES

APPEARANCES—
For Applicant: Paul Friedman.
For Opposition: William M. Calder.
For Administration: S. Cohen, Department of Housing and Buildings.
ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commisisoners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(430-38-A)

WHEREAS, Paul Friedman for Isidor Skolnik, owner, filed June 1, 1938, an appeal from a decision of the acting borough superintendent of buildings affecting premises: 3081-3091 Avenue T and 2084 Stuart street, northwest corner (Block No. 7518, Lot No. 40), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent of buildings, Application No. 3231-38, dated May 26, 1938, reads as follows:

"As there is a petition now pending before the city planning commission for change of zone from business use to residential use, this application for business use in a proposed residential area is denied pending a determination by the city planning commission of the proposed use district."

and

WHEREAS, the premises consist of a plot 100 ft. by 30 ft. in area, on which it is proposed to erect a one-story fireproof business building (stores) located in a business use district; and

WHEREAS, the applicant contends that the mere pendency of a petition before the city planning commission does not justify the denial of the application; that the denial of the application by the acting borough superintendent should be overruled and permit issued forthwith; and

WHEREAS, the city planning commission under date of June 22, 1938, changed the area in which these premises are located from business use to residential use.

Resolved, that the decision of the acting borough superintendent on Application No. 3231-38 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

462-38-A.
APPLICANT—Edmund J. McCormick for Louise E. McCormick, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
PREMISES AFFECTED—110 80th street, south side, 195 ft. west of Colonial road (Block No. 5985, Lot No. 30), Borough of Brooklyn.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appeal dismissed for lack of prosecution.
THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(462-38-A)

WHEREAS, Edmund J. McCormick, for Louise E. McCormick, owner, filed June 7, 1938, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 110 80th street, south side, 195 ft. west of Colonial road (Block No. 5985, Lot No. 30), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent of buildings, dated June 6, 1938, reads as follows:

"In answer to your communication dated June 3rd, as to a request for a certificate of occupancy for kindergarten use in premises No. 110 80th street, please be advised that at your last visit, I thought we went over this matter thoroughly, and I told you it was impossible to issue a certificate for such an occupancy in a frame building.

Upon reviewing the records of this department, I find that this building was built under Permit No. 6519/26 and a certificate of occupancy No. 4200 issued for a one-family frame dwelling.

I think this answers your correspondence."

and

WHEREAS, the building is 2½ stories, 40ft. in height and 38 ft. 4 in. by 32 ft. 8¾ in. in area of frame construction located on a plot 60 ft. by 109 ft. 4 in. in area in a residence "E" district, erected in 1926 and occupied as a one-family residence. It is proposed to change the occupancy of the first floor to a kindergarten, 20 persons; and

WHEREAS, the applicant contends that the building is of exceptional construction; that the building is approximately 12 years old, of an anticipated modern design and compares favorably with the type of dwelling erected today; heating is by a gas heating hot water, which is so designed as to permit the installation of air cooling ducts without structural changes; that the children in the kindergarten will be accompanied by teachers at all times; and

WHEREAS, there was no representative of applicant present at any time during this hearing, although duly notified of the hearing.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

464-38-A.
APPLICANT—Victor Mayper, for Nick Costello, lessee.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—166-170 Hudson street and 48 Laight street, northeast corner (Block No. 220, Lot No. 34), Borough of Manhattan.
APPEARANCES—
For Applicant: Victor Mayper.
For Administration: Jacob Scharf, Department of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(464-38-A)

WHEREAS, Victor Mayper, for Nick Costello, lessee, filed June 7, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises 166-170 Hudson street and 48 Laight street, northeast corner (Block No. 220, Lot No. 34), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated June 2, 1938, re N.B. Application No. 101-38, reads:

"2. Building must be located at least 4 ft. from all lot lines, Sec. 4.2.1 (Sec. C26-254.0)."

and

WHEREAS, the proposed building is one story (12 ft.) in height, 16 ft. by 38 ft. in area, of metal construction, to be occupied as a diner for 15 persons; located on a plot 100 ft. by 38 ft. in area in an unrestricted use district, for which plot Certificate of Occupancy No. 23452 was issued March 16, 1938, for a gasoline service station, auto laundry, office and lubritorium, four 550 gallon tanks; and

WHEREAS, the applicant contends that the present arrangement of the buildings on the site and the construction of the proposed diner, preclude the possibility of complying with the building code; that the spirit of the law is to require the 4 ft. space in the case of inflammable buildings; that the proposed car has been built very substantially and failure to modify the decision will cause great financial loss.

Resolved, that the decision of the borough superintendent in acting on N.B. Applic. No. 101-38 be and it hereby is *modified* and that the appeal be and it hereby is *granted* for a period of five years from the date of this action *on condition* that the wall of the adjoining building to the north on Hudson street, shall have no openings therein for a height of fifty (50) ft. above grade and that there shall be no interference as to the exit from the rear fire escape of the building adjoining on Laight street, if the owner thereof is entitled to exit across these premises.

466-38-A.

APPLICANT—Philip J. Riley, lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—34-45 21st street, east side, 410 ft. south of 34th avenue (Block No. 466, Lot No. 25), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(466-38-A)

WHEREAS, Philip J. Riley, lessee, filed June 7, 1938, an appeal from a decision of the borough superintendent, affecting premises 34-45 21st street, east side, 410 ft. south of 34th avenue (Block No. 466, Lot No. 25), Astoria, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated June 6, 1938, re. N.B. Applic. No. 2503-38, reads:

"The erection of any building on filled ground is contrary to section 7.5.2, paragraph "B" building code."

and

WHEREAS, the proposed building will be one story in height, 38 ft. by 21 ft. in area, of metal construction, located in an unrestricted use district and occupied as an automobile showroom, 5 persons; and

WHEREAS, the applicant contends that it is proposed to put in a 4 ft. concrete base and a 6 in. concrete floor; that the proposed building is sufficiently light to stand up on the plot in question; that there is an existing metal and concrete building and three 550 gallon tanks adjacent to the building in question; that test pits have been dug; and

WHEREAS, the premises were inspected by a committee of the board and examination made of the test pits.

Resolved, that the decision of the borough superintendent, in re N.B. Applic. No. 2503-38 be and it hereby is *modified* and that the application be and it hereby is *granted on condition* that the loading of the soil shall not exceed 500 lbs. per superficial foot and that the building shall not be increased in height over that indicated on plans filed with N.B. Applic. No. 2503-38; that the building shall also be of metal construction, as therein shown.

318-38-A.

APPLICANT—Henry A. Maccaro, for F. P. Casella, Inc., lessee.

SUBJECT—Appeal from an order of the acting borough superintendent of buildings and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—Northeast corner of 44th avenue and 111th street (Block No. 2015, Lot No. 78), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Henry A. Maccaro and Mr. Smith.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(318-38-A)

WHEREAS, Henry A. Maccaro, for F. P. Casella, Inc., lessee, filed May 3, 1938, an appeal from an order and decision of the borough superintendent, Department of Housing and Buildings, affecting premises northeast corner of 44th avenue and 111th street (Block No. 2015, Lot No. 78), Corona, Borough of Queens; and

WHEREAS, the order of the acting borough superintendent No. 13-1938, dated January 19, 1938, reads as follows:

"You will please take notice that there exists a violation of the building code at the premises hereinafter described in that proposed gasoline station in restricted district.

You are therefore ordered and directed by me to stop all work in connection with this operation until the law has been complied with."

and

WHEREAS, the decision of the borough superintendent, dated March 8, 1938, reads as follows:

"In answer to your letter of March 1, 1938, please be advised that this department can make no change in the decision previously made, and that any further action must be taken by the Board of Standards and Appeals.

As to the matter of alteration applications numbers 448 and 449-36, these plans have been located in this office and are available for any pertinent use in connection with the above use."

and

WHEREAS, the premises consists of a plot 100 ft. by 100 ft. in area upon which a building 20ft. by 20 ft. in area, 1½ stories, 14½ ft. in height has been erected; the plot is located in the residence use district having been changed from an unrestricted use district on May 1st, 1936; and

WHEREAS, the applicant contends that Mrs. Lucy Casella is the widow of the original applicant herein, who died on December 1st, 1937; that the deceased, the lessee of the within premises, by virtue of a twenty-one year lease from the owner of same, acquired from the building department on or about January 24, 1936 permits known as No. 448 and 449 for the construction of a gasoline selling station and an accessory shop; that on February 1, 1936, a permit No. B661 was issued granting permission to construct two driveways to said gasoline station; that this location was at that time in an unrestricted district; that pursuant to said permit, the accessory building was constructed during the month of February, 1936; that on or about May 1st, 1936 this location, due to a rezoning of this area became a restricted district; that shortly thereafter the lessee became ill, from which illness he never recovered, dying December 1st, 1937; that during this period of illness the deceased was not able to complete the construction of this gasoline station; that in the month of January, 1937, after inspection by the department, extensions of the said permits until January 31, 1938 were granted, on the ground that work under these permits had been substantially commenced and completed; that the following was endorsed upon said extension by Deputy Commissioner Rippberger:

"Accepted by Deputy Commissioner Rippberger showing substantial change with change of zone"; that after the death of her husband Mrs. Casella was advised by the architect that it would be necessary to install the gasoline tanks as soon as possible as the said extension would expire shortly; that the cost of installing these tanks was Five Hundred Dollars ($500); that on January 11, 1938, they were, pursuant to the said plans and permits installed in the presence of an inspector from the building department, an inspector from the Bureau of Combustibles and a battalion chief of the Fire Department; that about ten days thereafter the building department served a "Notice to Remove Violation" upon Mrs. Lucy Casella; that the notice further contained the order to stop all further work; that there does not appear to exist any justifiable grounds for the action taken; that all procedure under the said permits has been legal and proper and with the approval of the building department; that the said action of the department deprives Mrs. Casella of the only immediate means of income which she at a great sacrifice attempted to protect; that the said action, which appears to be without justification, results in a great hardship upon the applicant; that the applicant has duly acquired definite vested interest herein which should be upheld and protected.

Resolved, that the order of the acting borough superintendent, No. 13-1938, dated January 19, 1938 and the decision of the borough superintendent, dated March 8, 1938, be and they are hereby *reversed* and that the appeal be and it hereby is *granted*, restoring Alteration Applications 448 and 449 of 1936, *on condition* that there shall be no changes or additions to the work covered by these applications and that the plot shall not be increased in area; that no signs shall be erected unless approved by the board under an application for approval of signs as required under Resolution No. 1 of the Board of Estimate and Apportionment.

476-38-A.

APPLICANT—James J. Millman, for Rose Cortazzo, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1750 East 53rd street, west side, 340 ft. south of Avenue O (Block No. 8492, Lot No. 57), Borough of Brooklyn.

APPEARANCES—

For Applicant: James J. Millman.

For Administration: S. Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commisisoners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(476-38-A)

WHEREAS, James J. Millman, for Rose Cortazzo, owner, filed on June 9, 1938, an appeal from a decision of the borough superintendent, department of housing and buildings, affecting premises 1750 East 53d street, west side, 340 ft. south of Avenue O (Block No. 8492, Lot No. 57), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on App. No. 3778-38, dated June 6, 1938, reads as follows:

"M.D.L. 1. As entire bldg. is not brick veneered, occupancy in a frame bldg. cannot be increased. Sec. 56."

and

WHEREAS, the building is two stories, 22 ft. in height, 22 ft. by 60 ft. in area, of frame construction, located in a residence use "E" area district; erected in 1925 and occupied since 1925, as follows: Cellar—ordinary, 1st floor, dwelling—one family, 2nd floor—dwelling, two families, for which Certificate of Occupancy No. 72649 was issued December 21, 1933; and

WHEREAS, it is proposed to increase the occupancy of the first floor to two families, so that the building will be occupied throughout by four families; and

WHEREAS, the applicant contends that the building is brick veneered on the first floor and faced with 3/16 inch asbestos siding on the second floor; that the asbestos siding, which is applied so as to leave an air space between the siding and the frame, is of equivalent fire protection to that offered by brick veneer, that no part of the frame is exposed from the ground to the underside of the cornice; and

WHEREAS, in the opinion of the board, the proposed asbestos siding cannot be interpreted as equivalent to the requirements of section 56 of the multiple dwelling law and that to grant this application would be to grant a modification of the multiple dwelling law, which the board is not empowered to vary.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

490-38-A.

APPLICANT—Julius S. Rapson, for Mildred Nelson, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—255-24 147th road, south side, 220 ft. west of Weller avenue (Block No. 4896, Lot No. 42), Rosedale, Borough of Queens.

APPEARANCES—

For Applicant: Julius S. Rapson and Mildred Nelson.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(490-38-A)

WHEREAS, Julius S. Rapson, for Mildred Nelson, owner, filed on June 14, 1938 an appeal from decisions of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 255-24 147th road, south side, 220 ft. west of Weller avenue (Block No. 4896, Lot No. 42), Rosedale, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, dated June 16, 1938 (as to the dwelling), on N.B. App. 4172-38, reads as follows:

"The erection of a frame building within the Fire Limits is contrary to section 4.1.2 BC."

and

WHEREAS, the decision of the Borough Superintendent, dated June 10, 1938 (as to the garage), on N.B. App. No. 3496-38, reads as follows:

"The erection of a frame building within the Fire Limits is contrary to section 4.1.2 BC."

and

WHEREAS, the premises consist of a plot 40 ft. by 100 ft. in area, on which there is now being erected a 1½ story frame dwelling, 16 ft. in height, 28 ft. 6 in. by 31 ft. in area, and a one-story frame garage 18 ft. by 20 ft. in area; premises located in an undetermined use "D" area district; and

WHEREAS, the applicant contends that the section is built up entirely of frame and brick veneer dwellings, and that the owner feels it would be unfair to him to be compelled to build a solid brick building on this property;

that not realizing the fact that this area was recently put within the fire limits and the seriousness of not securing a permit to build, the owner has erected a considerable portion of this building and is proposing to take occupancy this week; that the work on the building has been stopped, pending the decision of this appeal; that the building is sheathed and that the windows and door frames are in, and an asphalt shingle roof has been laid; that it is proposed to cover the exterior of the buildings with asphalt shingles matching other buildings in the area.

Resolved, that the decisions of the Borough Superintendent, on N.B. App. No. 3496-38 and N.B. App. No. 4172/38, be and they hereby are *modified*, and that the appeal be and it hereby is *granted on condition* that the main building shall be used for residential purposes only; that the total area of the building and garage shall not exceed 35 per cent of the area of the plot; that there shall be a side yard on the east at least 6 ft. in width and on the west at least 12 ft. in width and the front yard shall be not less than 25 ft. in depth; and that in all other respects the building shall comply with the requirements of the Building Code for a frame building outside the fire limits.

501-38-A.

APPLICANT—S. S. Monteverde Society, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Barge, 1500 ft. off shore, Pleasant Bay Park, on Baxter Creek, foot of Ferris avenue (Ferris lane), Unionport, Borough of The Bronx.

APPEARANCES—

For Applicant: Gerard J. Muccigrosso and others.

For Administration Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(501-38-A)

WHEREAS, S. S. Monteverde Society, owner, filed on June 16, 1938, an appeal from a decision of the fire commissioner relating to the display of fireworks from a barge at Pleasant Bay Park, 1,500 ft. off shore, on Baxter Creek, foot of Ferris avenue (Ferris lane), Unionport, Borough of The Bronx; and

WHEREAS, the decision of the fire commissioner, dated May 25, 1938, reads as follows:

> "In reference to your communication to display fireworks for the Society di Mutio Soccorso, Maria Santissima di Monteverdo, on July 10th and July 11th, 1938, at Pleasant Bay Park, Baxter Creek, foot of Ferris avenue, Borough of The Bronx, it is regretted that this department is not in a position to approve of the contemplated discharge of fireworks owing to the following enumerated conditions:
>
> (1) That at the present time and during the summer months a large number of river craft (launches) approximated at 100 are anchored in the creek adjoining the park.
>
> (2) Barges carrying material for construction of the Whitestone Point Bridge also anchor at this location.
>
> Your request for a permit to display fireworks at the location in question is for the reason stated, denied.
>
> Should you desire to appeal from this determination it is suggested that you submit the matter to the Board of Standards and Appeals, Room 1002, Municipal Building, Manhattan."

and

WHEREAS, it is proposed to conduct a display of fireworks on July 10th and 11th, 1938, from a barge located 1500 feet off shore from Schley avenue, as shown on diagram filed with this appeal; and

WHEREAS, the applicant contends that the launches anchored near the park have been anchored there in other years, when permits were granted the society to display fireworks; that these launches are anchored at a distance of approximately 700 feet to 800 feet from the point at which the barge will be anchored; that this distance is sufficient to warrant disregarding the possibility of danger to them; that the towers and foundations of the bridge (Ferris Point) have been set and for the last three weeks no barges carrying materials have been anchored in that vicinity; that all deliveries of materials being made by trucks; that the bridge itself is located about one-half a mile from the proposed location of the barge; that the display of fireworks will be under the care of a licensed pyrotechnician and any possible danger will most certainly be offset by his having complete charge of the display; that the display of fireworks is so closely connected with the festival of this religious society, that to deprive the society of the privilege would be tantamount to banning this festival.

Resolved, that the decision of the fire commissioner, dated May 25, 1938, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, to permit the discharge and display of fireworks on July 10 and July 11, 1938, *on condition* that all fireworks discharged and displayed shall be from a barge anchored not nearer than 1200 ft. offshore, as measured from Schley avenue; that such fireworks shall be discharged from a mortar anchored securely to the deck of the barge; that such display shall be under the supervision and control of a pyrotechnist holding certificate of fitness as such; that two (2) 40-gallon fire extinguishers shall be maintained; that the type of fireworks to be discharged and displayed may consist of aerial shells of various sizes, varying from 3 inches to 6 inches, illuminated flares and devices consisting of set pieces and wheels; that a permit in compliance with this resolution shall be obtained from the fire department; and that in the event, on account of rain, the display cannot be held on the days hereinbefore named, that the fire commissioner may permit postponement to such days as are approved by him under conditions as set forth herein.

513-38-A.

APPLICANT—Anton E. Lindblad, for L. Maud Cisney, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—123-14 103rd avenue, south side, 115 ft. east of 123rd street (Block No. 8560, Lot No. 7), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Anton E. Lindblad.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(513-38-A)

WHEREAS, Anton E. Lindblad, for L. Maud Cisney, owner, filed on June 17, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 123-14 103rd avenue, south side, 115 ft. East of 123rd street (Block No. 8560, Lot No. 7), Richmond Hill, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent on Alt. App. 3086-38, dated May 17, 1938, read as follows:

"3. Use of room above 2nd floor in a frame two-family dwelling is contrary to section 8.7.2.1."

and

WHEREAS, the building is three stories, 29 feet, in height, 26 ft. by 36 ft. 4 in. in area, of frame construction, erected in 1900 and occupied as a single family dwelling, located in a residence use "D" area district. It is proposed to alter the building so as to permit its occupancy as a two-family dwelling; and

WHEREAS, the applicant contends that the proposed alteration was contemplated in the autumn of 1937, plans having then been prepared and work was postponed due to an injury sustained by the owner, and that in the meantime the new building code went into effect; that the property is situated in a section consisting of free-standing residences with ample light on all sides; that it is proposed to provide a fire escape at the rear from 3rd story to the ground and fire-retard the stairhalls and ceilings; that the building will be surfaced on the exterior with asbestos shingles.

Resolved, that the decision of the Borough Superintendent, on Alt. Applic. No. 3086-38, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the use of the rooms in the attic story, as shown on plans filed with this appeal, *on condition* that the building shall not be further increased in height or area and shall be maintained as a residence for not over two families, substantially in accordance with the plans filed with this appeal; that the fire escape on the rear shall be so arranged as to be connected with the second and attic stories; that in all other respects the building shall comply with all laws, rules and regulations applicable thereto.

475-38-A.

APPLICANT—A. C. Lefante, for Salvatore Gallo, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—102 Frost street, south side, 150 ft. east of Leonard street (Block No. 2738, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. C. Lefante and Salvatore Gallo.

For Administration: Samuel Cohen, Department of Housing and Buildings and Inspector Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(475-38-A)

WHEREAS, A. C. Lefante, for Salvatore Gallo, owner, filed on June 9, 1938 an appeal from a decision of the Acting Borough Superintendent, Dept. of Housing and Buildings, affecting premises 102 Frost street, south side, 150 ft. east of Leonard street (Block No. 2738, Lot No. 12), Borough of Brooklyn; and

WHEREAS, the decision of the Acting Borough Superintendent on App. No. 7905-38, dated June 3, 1938, reads as follows:

"FP—Amendment to omit sprinkler is denied. Original application and plans stated that separate application would be filed for sprinkler system.

Proposed amendment to eliminate sprinkler is denied as per Art. 26-C-19-149.0 Code of Ord.

It is unlawful to store any combustible fibre in any building which is not equipped with a fire extinguishing system approved by the Commissioner."

and

WHEREAS, the building is one story, 15 ft. in height, 50 ft. by 100 ft. in area, of non-fireproof construction, located in an unrestricted use district, used for the storage of baled rags and paper, two persons; it is proposed to erect a brick extension 25 ft. by 41 ft. 6 in. in area at southeast corner; and

WHEREAS, the applicant contends that the proposed extension is less than 1,000 sq. ft. in area and will be used solely for the storage of baled paper and rags and at no time will there be any loose paper or rags in the extension, all the sorting and bailing will be done in the existing building.

Resolved, that the decision of the Acting Borough Superintendent, on Applic. No. 7905-38, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that a permit be obtained from the Fire Commissioner for permission to store loose rags exceeding one ton and that such portable fire-fighting appliances shall be installed as the Fire Commissioner shall direct; that the building shall not be further increased in height or area; that no windows shall be constructed in the exterior walls of the proposed addition; that any roof skylight shall be constructed of metal frames and glazed with plain glass with screens over and under; and that the proposed extension shall be used solely for the storage of baled rags.

504-38-A.

APPLICANT—Lama and Proskauer, for Bender and Cohen, owners.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—207-209 Hudson avenue, southeast corner of Nassau street (Block No. 111, Lot Nos. 11 and 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Ira L. Rosenson and Abram Shlefstein.

For Opposition: Charles Tilgner, Board of Education.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(504-38-A)

WHEREAS, Lama and Proskauer, for Bender & Cohen, owners, filed June 17, 1938, an appeal from a decision of the Acting Borough Superintendent, Dept. of Housing and Buildings, affecting premises 207-209 Hudson avenue, southeast corner of Nassau street (Block No. 111, Lot Nos. 11 and 12) Borough of Brooklyn; and

WHEREAS, the decision of the Acting Borough Superintendent, dated June 2, 1938, on Permit No. 14-38, reads as follows:

"This is to advise you that, as provided by Section 2.1.2.7 of the Building Code and Section C-26-180.0 of the Administrative Code, I have this day revoked Permit No. 14/1938, as the said permit should not have been issued, for the reason that the same is in violation of Section 21 of the Zone Resolution, which prohibits the erection of a gasoline station within 200 feet of a school exit."

and

WHEREAS, the premises consist of a plot 40 ft. 3 in. by 75 ft. in area, located in an unrestricted use district, occupied as a gasoline station with an accessory building, one story, 28 ft. by 25 ft. 8 in. in area, 15 ft., in height, of non-fireproof construction; erected in May, 1938; and

WHEREAS, the applicant contends that on January 3, 1938, the Acting Borough Superintendent approved plans for

the erection of a gasoline station, Permit No. 14-38; these plans called for the erection of a reinforced concrete wall 5 ft. high at a point distant 70 ft. east of Hudson avenue (a condition insisted upon by former Commissioner Thatcher prior to the approval of these plans); that pursuant to such approved plans, the owner proceeded with the construction of the building and installed gasoline tanks, pumps and other greasing equipment as called for by such plans; that the work has been entirely completed and application has been made to the Acting Borough Superintendent for the issuance of a certificate of occupancy; that the Acting Borough Superintendent has refused such certificate of occupancy and has revoked the approval of the original plans on the ground that such permit should not have been issued; that the same is in violation of Section 21 of the Zone Resolution, which prohibits the erection of a gasoline station within 200 ft. of a school exit; that the Acting Borough Superintendent at the time of the issuance of the permit, had full knowledge of all the existing facts relative to the application for such permit and there was no misrepresentation of any material facts and that by reason of the issuance of such permit, the completion of the work in reliance of such permit for the expenditure of the monies involved therein, the owner has acquired a vested right in the premises, which precludes the Acting Borough Superintendent from cancelling such permit; that the gasoline station erected is not within 200 ft. of a school exit as measured along the usual line of travel; and

WHEREAS, in the opinion of the Board, Nassau place is an alley and not a street as intended in the prohibition in Section 21; and whereas it appears that disregarding Nassau place, the proposed gasoline station is more than 200 ft. from the nearest exit or entrance to the public school in the line of travel in either direction around the block.

Resolved, that the decision of the Acting Borough Superintendent, dated June 2, 1938, in acting on Permit No. 14-38 be and it hereby is *reversed*, and that the permit be and it hereby is *reinstated*.

510-38-A.

APPLICANT—Gertrude Mayer, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—394 East 170th street, south side, 30.78 ft. west of Clay avenue (Block No. 2782, Lot No. 108½), Borough of The Bronx.

APPEARANCES—

For Applicant: Gertrude Mayer.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(510-38-A)

WHEREAS, Gertrude Mayer, owner, filed on June 20, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting Premises: 394 East 170th street, south side, 30.78 ft. west of Clay avenue (Block No. 2782, Lot No. 108½), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated June 10, 1938, on N.B. Plan 771-06, reads as follows:

"Your application for a certificate of occupancy for the three-family multiple dwelling and beauty parlor at the above mentioned premises is hereby denied as:

1. Floor capacity on 1st floor is inadequate for business.
2. Business is being conducted in a frame building inside the fire limits.
3. Walls and ceiling of part of building where business is conducted should be fire-retarded.
4. Plans must be filed in this division showing all changes."

and

WHEREAS, the building is 3 stories and basement in height, 18 ft. by 40 ft. in area; of frame construction; located in a business use district; erected in 1906 and occupied as follows: 1st floor—Beauty Salon; 2nd and 3rd floors—dwelling—occupied by owner; and

WHEREAS, the applicant contends that the room in question, which has been occupied for five years as a beauty parlor, is located right off the stoop and can accommodate but one customer at a time; that no machinery or outside help is employed; that there are no tenants above the beauty parlor, the two remaining floors being occupied by the owner as a duplex-apartment; that the building is surfaced on the exterior with asbestos shingle; and

WHEREAS, in the opinion of the board the requirements of the Building Code should be varied under certain conditions.

Resolved, that the decision of the borough superintendent, in acting on N.B. Plan 771-06 be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the proposed occupancy of a portion of 1st floor, *on condition* that the operator of beauty salon, shall reside within the building; that no alterations to the building shall be made; that any equipment installed, shall not overload the carrying capacity of the floor; and that this permission shall continue only so long as existing conditions are maintained as herein permitted, and that in all other respects the Multiple Dwelling Law and all other laws and regulations shall be complied with.

522-38-A.

APPLICANT—Shreve, Lamb and Harmon, Harrison and Fouilhoux, for Board of Higher Education, City of New York, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—657-699 Park avenue, 924-942 Lexington avenue, 57 East 68th street and 54 East 69th street (Block No. 1403, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: D. V. Rasahen and Earl Germond.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(522-38-A)

WHEREAS, R. H. Shreve, for the Board of Higher Education, City of New York, owner, filed on June 21, 1938, an appeal from a decision of the fire commissioner, affecting premises 657-699 Park avenue, 924-942 Lexington avenue, 57 East 68th street and 54 East 69th street (Block No. 1403, Lot No. 1), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated June 13, 1938, reads as follows:

"We acknowledge receipt of your sketch No. P-6, showing the proposed arrangements of chlorine apparatus for the swimming pool in the new building for Hunter College, East 68th street and East 69th street, between Park and Lexington avenues, Man.

This proposal does not appear in conformity with Chapter 19.96.0 of the administrative code, and, therefore, we regret to advise that such proposed storage cannot be approved by this department."

and

WHEREAS, the building will be 200 ft. 10 in. by 305 ft. 2 in. in area on the first floor and 200 ft. 3 in. by 290 ft. 11 in. at typical floor level; 16 stories (232 ft.) in height; occupied throughout by Hunter College, with a swimming pool; and

WHEREAS, applicant contends that the chlorinating process for the swimming pool will be enclosed in a separate room having 12-inch brick walls and a fireproof self-closing, gas-tight door, the room to be ventilated by the outside air by a mechanical blower and to be equipped with a jumbo sprinkler head connected to a domestic cold-water line in centre of ceiling and a floor drain as shown on plans filed with this appeal, remote control for the valve to be located outside the room.

Resolved, that the decision of the fire commissioner, dated June 13, 1938, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the storage of two cylinders of liquified chlorine, not to exceed 100 lbs. each for use in connection with the proposed swimming pool, *on condition* that these cylinders shall be of the type approved by the Interstate Commerce Commission and shall be stored in a room constructed of fireproof material and located, as indicated on plan P-6 filed with this appeal; that the door to this room shall be close fitting and reasonably gas-tight with a sill 6 in. in height; that there shall be a sprinkler head installed within this room of the open or shower type, which may be connected to the domestic water system and controlled from a valve located on the outside of the compartment, with a sign adjacent indicating the valve is for control of the sprinkler; that not more than one of these cylinders shall be in use at one time and each cylinder shall be so installed with metal straps as to be held safely upright at all times; that there shall be a Wallace & Tiernan or other approved mixing valve installed, to the satisfaction of the fire commissioner; that there shall be a gas mask, as approved for use with chlorine by the United States Bureau of Mines, installed in a cabinet, readily accessible, on the exterior of the storage compartment; that no ventilating system shall be installed to the outer air; that the person in charge of the equipment shall hold a certificate of fitness issued by the fire department and that no person shall be permitted to enter this compartment other than the person holding such certificate of fitness.

524-38-A.

APPLICANT—Croker Fire Prevention Corporation, for Englander Spring Bed Co., Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—538 Johnson avenue, southwest corner of Stewart avenue (Block No. 2294, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(524-38-A)

WHEREAS, Croker Fire Prevention Corporation for Englander Spring Bed Co., Inc., owner, filed on June 21, 1938, an appeal from an order and a decision of the Fire Commissioner, affecting Premises: 538 Johnson avenue, south west corner of Stewart avenue (Block No. 2294, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the Fire Commissioner, No. 74-570-LC, dated March 7, 1938, reads as follows:

"Discontinue the maintenance of any open flames or sparking device (welding on 3rd story) within floor area where spray coating is carried on, or separate the open flames or sparking device by partitions constructed of fireproof or fire-resisting material. Rule 6.1.8 Spray Rules."

and

WHEREAS, said order was repeated in a decision of the Fire Commissioner, dated June 15, 1938; and

WHEREAS, the building is 4 stories and basement (60 ft. 2 in.) in height, 105.1 by 200.5 ft. in area; of fireproof construction; equipped with a standpipe and sprinkler system; located in unrestricted use district; occupied since 1919 as follows: Cellar storage and boiler room—6 persons; 1st floor, machine shop, assembling, rivetting, paint dipping and baking oven—40 persons; 2nd floor, offices, sewing and upholstering—50 persons 3rd floor, assembling, welding, paint spraying and baking ovens—40 persons; 4th floor, manufacturing of coil springs—50 persons; certificate of occupancy No. 4503 was issued December 20, 1923; welding in question is located on the 3rd story; and

WHEREAS, applicant contends that the welding is done in a portion of the building entirely remote, that is, approximately 190 ft. distant, from the location where any spraying is done; that if the occupant of these premises is required to separate the welding apparatus from the spraying with fireproof partitions, which in this case would be required, it would cause serious inconvenience in the proper efficiency of the factory; that the sprinkler and standpipe systems now existing in the building, provide ample protection for the apparatus as it now exists.

Resolved, that the order of the Fire Commissioner No. 74570-LC be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the acetylene welding shall be maintained at a point not nearer than 150 ft. from spray booths; that such welding outfit shall be subject to permit issued by the Fire Commissioner; and that the operation and maintenance of spray booths shall comply with all the rules applicable thereto.

525-38-A.

APPLICANT—George Demas, President, Nautilus Boat Club, Inc., lessee.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—East side of McMullen avenue, foot of Bassett avenue (Nautilus Boat Club); (Block No. 8470, part of Lot No. 430), Borough of Brooklyn.

APPEARANCES—

For Applicant: George Demas.

For Administration: S. Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(525-38-A)

WHEREAS, George Demas, for the Nautilus Boat Club, Inc., lessee, filed on June 22, 1938, an appeal from a decision of the Acting Borough Superintendent, Department of Housing and Buildings, affecting Premises East Side of McMullen avenue, foot of Bassett avenue, (Nautilus Boat Club); (Block No. 8470, part of Lot No. 430), Borough of Brooklyn; and

WHEREAS, the decision of the Acting Borough Superintendent on App. No. 8344-38, dated June 20, 1938, reads as follows:

"A frame structure for public use within the fire limits is contrary to Sect. 4.1.2 of the Code."

and

WHEREAS, the proposed building will be 30 ft. by 50 ft. in area, one story (12 ft.) in height, located on a plot 100 ft. by 500 ft. in area and will be of frame construction; located in an undetermined "A" area district; occupied as a private clubhouse for 25 persons; and

WHEREAS, the applicant contends that the section where the clubhouse is proposed to be erected is practically vacant, there being no building within 700 ft. and on the whole 350 acre tract, only about 30 small bungalows and a yacht club at least 700 ft. distant and that these are frame; that the old clubhouse at foot of Bay Parkway, Brooklyn, was destroyed by a heavy storm last winter and it is necessary to build a new one; that the club has obtained this site on a month-to-month lease with a 30-day cancellation clause and does not wish to invest much money in a permanent structure; and in view of the character of the section requests that the Board to grant the application; and

WHEREAS, the Board deemed that this building should not be considered a public building but was a private club house.

Resolved, that the decision of the Acting Borough Superintendent, in acting on App. No. 8344-38 be and it hereby is *modified,* and the appeal be and it hereby is *granted* to permit the erection of proposed building in accordance with the description as filed with this appeal, *on condition* that the building shall comply with all the requirements for this occupancy and construction as if erected outside the fire limits.

514-38-A.

APPLICANT—Max Horn, for Congregation Shaare Tefilla, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1297 Central avenue (Far Rockaway boulevard) south side, 200 ft. east of Nielson avenue (Block No. 35, Lot No. 7), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Max Horn, Irving Miller and J. Sterns.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(514-38-A)

WHEREAS, Max Horn, for Congregation Shaare Tefilla, owner, filed on June 21, 1938, an appeal from a decision of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 1297 Central avenue (Far Rockaway boulevard), south side, 200 ft east of Nielson avenue (Block No. 35, Lot No 7), Far Rockaway, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent on Alt. App. 4371-38, dated June 14, 1938, reads as follows:

"1. Type of proposed construction exceeds area limits. (4.2.1)."

and

WHEREAS, the building is non-fireproof, one story and balcony (35 feet) in height, 77 ft. 4 in. by 48 ft. in area, located in a "D" area district; erected in 1914 and occupied as follows: Cellar—Gymnasium, 100 persons; 1st floor—Synagogue—450 persons; it is proposed to erect a fireproof extension at the rear and to increase the occupancy to 175 persons in the cellar and 775 persons, 1st story. The roof of the existing structure is wood, this will be removed and a new fireproof roof consisting of steel trusses and 2 inch Gypsteel blanks installed over the entire area, the ceiling will be of metal lath and Portland cement plaster, the present wood construction of the first floor and the balcony floor will be protected with 2-inch Gypsteel slabs supported on adequate steel carried independently of the wood floor structure. Wood floors will be surfaced with ¼-inch Portland cement or magnesite concrete on 3.4 lb. galvanized metal lath, nailed to the floor. This will be finished with an asphalt tile. All interior stairs will be replaced with steel stairs with marble or composition treads and wrought iron handrails, the boilerroom will be enclosed with 8-inch hollow cement blocks and ceiling to be 4-inch cinder concrete slab or 2-inch Gypsteel slab. The partition between basement space and lower part of vestibule consists of 6-inch wood studs. It is proposed to fill the space between studs with cinder concrete. A 12-inch brick wall above this area will be provided. This wall will be carried on steel beams on columns going down to foundation. It is proposed to employ a number of trained watchmen for day and night service during the High Holy Days, when the building is filled to capacity to guard against any contingencies that might arise during the Services.

Resolved, that the decision of the Borough Superintendent, in acting on Alt. App. No. 4371-38 be and it hereby is *modified* and the appeal be and it hereby is *granted,* permitting the proposed extension to be constructed of fireproof materials in accordance with the proposal filed in connection with this appeal and including the reconstruction as proposed of the existing portion of the building, *on condition* that in all other respects all requirements of law shall be complied with.

517-38-A.

APPLICANT—St. Albans Associates, Inc., owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—183-03 to 183-11 Arcade avenue, northwest corner of Dunkirk street (Block No. 1387, part of Lot No. 1), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Alexander Zager.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(517-38-A)

WHEREAS, St. Albans Associates, Inc., owner, filed on June 22, 1938, an appeal from decisions of the Borough Superintendent, Department of Housing and Buildings, affecting Premises: 183-03 to 183-11 Arcade avenue, northwest corner of Dunkirk street (Block No. 1387, part of Lot No. 1), St. Albans, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent on N.B. App. Nos. 3624-3625-3626-1938, dated June 17, 1938, read:

"1. The erection of a frame building within the fire limits is contrary to section 4.1.2 of the building code."

and

WHEREAS, the premises consist of a plot 130.45 ft. by 100 ft. in area, located in a business and residence use "D" area district, on which it is proposed to erect three (3) 1½-story frame dwellings, 19 ft. in height, three (3) one-car garages, (one garage to be on each lot when the plot is sub-divided); the walls of dwellings and garages will be surfaced with brick veneer and the roofs with asphalt shingles; there will be a side court of 10 ft. on one side

and 5 ft. on the other side of each dwelling; making a total of 15 ft. between buildings, except the building on the corner lot, which will have a 5 ft. side yard and a 3 ft. setback from Dunkirk street; and

WHEREAS, the applicant contends that the buildings are under contract for sale and said contract calls for buildings similar to the buildings erected on the next block; that the plot in question was purchased prior to the adoption of the New Building Code.

Resolved, that the decisions of the Borough Superintendent, in acting on N.B. App. Nos. 3624, 3625, 3626-1938, be and they hereby are *modified*, and the appeal be and it hereby is *granted on condition* that the proposed buildings shall be solely for residential use for one family each; that the buildings shall comply substantially with the requirements of the "E" area district, except that on the irregular corner lot, the side yard need not be the required width for entire length, provided it averages not less than 7 ft. in width; that a garage may be permitted on each plot, provided the construction of the garage is similar to the construction of the house, namely, surfaced with brick veneer, and the roofs surfaced with asphalt shingles.

518-38-A.

APPLICANT—St. Albans Associates, Inc., owner.
SUBJECT—Appeal from decisions of the borough superintendent of buildings.
PREMISES AFFECTED—183-02 to 183-10 Arcade avenue, northeast corner of Dunkirk street (Block No. 1388, part of Lot No. 6), St. Albans, Borough of Queens.
APPEARANCES—
For Applicant: Alexander Zager.
For Administration: David Stone, Department of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(518-38-A)

WHEREAS, St. Albans Associates, Inc., owner, filed on June 22, 1938, an appeal from decisions of the borough superintendent of buildings, affecting premises 183-02 to 183-10 Arcade avenue, northeast corner of Dunkirk street (Block No. 1388, part of Lot No. 6), St. Albans, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, acting on N. B. App. Nos. 3634, 3635, 3636-38, dated June 17, 1938, read:

"1. The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the building code." and

WHEREAS, the premises consist of a plot, 123.62 ft. by 100 ft. in area located in a business and residence use "D" area district, upon which it is proposed to erect three (3) 1½ story frame buildings, 19 ft. in height, 25 ft. by 32 ft. in area each, and three (3) one-car garages, one garage to be located at the rear of each dwelling; the walls of the dwellings and garages will be surfaced with brick veneer and the roof with asphalt shingle; the two interior dwellings will each be provided with side yards of 10 ft. on one side and 5 ft. on the other side and the corner dwelling will have a side yard of 5 ft. and be set back from Dunkirk street an irregular dimension as shown on N.B. Plan Nos. 3634, 3635 and 3636-38; garages will be at least one foot from lot lines; and

WHEREAS, applicant contends that the buildings are under contract for sale and said contract calls for buildings similar to the buildings erected on the next block; that the plot in question was purchased prior to the adoption of the new building code.

Resolved, that the decisions of the borough superintendent, in acting on N.B. App. Nos. 3634, 3635, 3636-1938, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the proposed buildings shall be solely for residential use for one family each; that the buildings shall comply substantially with the requirements of the "E" area district, except that on the irregular corner lot the side yard need not be the required width for entire length, provided it averages not less than 7 ft. in width; that a garage may be permitted on each plot, provided the construction of the garage is similar to the construction of the house, namely, surfaced with brick veneer, and the roofs surfaced with asphalt shingles.

519-38-A.

APPLICANT—St. Albans Associates, Inc., owner.
SUBJECT—Appeal from decisions of the borough superintendent of buildings.
PREMISES AFFECTED—183-34 to 183-42 Arcade avenue, southeast corner of Liberty avenue (Block No. 1388, part of Lot No. 6), St. Albans, Borough of Queens.
APPEARANCES—
For Applicant: Alexander Zager.
For Administration: David Stone, Department of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(519-38-A)

WHEREAS, St. Albans Associates, Inc., owner, filed on June 22, 1938, an appeal from decisions of the Borough Superintendent of Buildings, affecting Premises: 183-34 to 183-42 Arcade avenue, southeast corner of Liberty avenue (Block No. 1388, part of Lot 6), Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, acting on N.B. App. Nos. 3628, 3629, 3630 and 3631-38, dated June 17, 1938, read:

"1. The erection of a frame building within the fire limits is contrary to section 4.1.2 of the building code." and

WHEREAS, the premises consist of a plot, 131 ft. by 100 ft. in area, located in a business and residence use "D" area district, upon which it is proposed to erect four (4) 1½-story frame dwellings, 19 ft. in height, 25 ft. by 43 ft. in area each and four (4) one-car garages; the walls of the dwellings and garages to be constructed of brick veneer and the roofs covered with asphalt shingle, each of the interior dwellings to be provided with a 5-ft. side yard on one side and a 10-ft. side yard on the other, making a total of 15 ft. between dwellings, except the corner dwelling, which will be provided with a 5-ft. side yard on one side and a setback of 5 ft. from Liberty avenue; the garages will be located 1 ft. from lot lines; and

WHEREAS, the applicant contends that the buildings are under contract for sale and said contract calls for buildings similar to the buildings erected on the next block; that the plot in question was purchased prior to the adoption of the New Building Code.

Resolved, that the decisions of the borough superintendent, in acting on N.B. App. Nos. 3628 3629, 3630 and 3631-38, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the proposed buildings shall be solely for residential use for one family each; that the buildings shall comply substantially with the requirements of the "E" area district, except that on the irregular corner lot the side yard need not be the required width for entire length, provided it averages not less than 7 ft. in width; that a garage may be permitted on

each plot, provided the construction of the garage is similar to the construction of the house, namely, surfaced with brick veneer, and the roofs surfaced with asphalt shingles.

520-38-A.

APPLICANT—St. Albans Associates, Inc., owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—183-23 to 183-31 Arcade avenue, southwest corner of Liberty avenue (Block No. 1387, part of Lot No. 1), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Alexander Zager.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(520-38-A)

WHEREAS, St. Albans Associates, Inc., owner, filed on June 22, 1938, an appeal from decisions of the borough superintendent, department of housing and buildings, affecting Premises 183-23 to 183-31 Arcade avenue, southwest corner of Liberty avenue (Block No. 1387, part of Lot No. 1), St. Albans, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, acting on N.B. App. Nos. 3620-3621-3622-38, dated June 17, 1938, read:

"1. The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the building code."

and

WHEREAS, the premises consists of a plot 164.96 ft. by 100 ft. in area located in a business and residence use "D" area district, upon which it is proposed to construct three (3) 1½ story frame dwellings, 19 ft. in height, 25 ft. by 43 ft. in area each and three (3) one-car garages; the walls of the dwellings and garages shall be surfaced with brick veneer and the roofs with asphalt-shingles; the dwellings will be provided with two side yards, one to be 5 ft. and the other to be not less than 10 ft., except the corner dwelling, which will be set back 15 ft. from Liberty avenue, as shown on N.B. Plan Nos. 3620-3621 and 3622-38; and

WHEREAS, the applicant contends that the buildings are under contract for sale and said contract calls for buildings similar to the buildings erected on the next block; that the plot in question was purchased prior to the adoption of the new building code.

Resolved, that the decisions of the borough superintendent, in acting on N.B. App. Nos. 3620, 3621, 3622-1938, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the proposed buildings shall be solely for residential use for one family each; that the buildings shall comply substantially with the requirements of the "E" area district, except that on the irregular corner lot the side yard need not be the required width for entire length, provided it averages not less than 7 ft. in width; that a garage may be permitted on each plot, provided the construction of the garage is similar to the construction of the house, namely, surfaced with brick veneer, and the roofs surfaced with asphalt shingles.

526-38-A.

APPLICANT—Ansonia Fire Prevention Engineering Co., Inc., for Vito Genovese, owner.

SUBJECT—Appeal from decisions of the fire commissioner.

PREMISES AFFECTED—507-509 Washington street, east side, 142 ft. 4½ in. north of Spring street (Block No. 596, Lot No. 55), Borough of Manhattan.

APPEARANCES—

For Applicant: George D'Andrea.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(526-38-A)

WHEREAS, Ansonia Fire Prevention Eng. Co., Inc., for Vito Genovese, owner, filed June 23, 1938, an appeal from decision of the Fire Commissioner, affecting premises 507-9 Washington street, east side, 142 ft. 4½ in. north of Spring street (Block No. 596, Lot No. 55), Borough of Manhattan; and

WHEREAS, the decision of the Fire Commissioner, dated June 11, 1938, reads as follows:

"In reply to your inquiry at this office, you are advised that the present sidewalk control valve box for sprinkler system has not been approved and cannot be accepted."

and

WHEREAS, the building is five stories, 63 ft. 2 in. in height, 40 ft. by 74 ft. in area, of nonfireproof construction, located in an unrestricted use district and occupied throughout as storage of machine baled paper; equipped with a sprinkler system with a sidewalk control valve; and

WHEREAS, the applicant contends that the sidewalk control valve box, which has been installed, consists of a heavy cast iron shell running from the valve up to and flush with the sidewalk; that the cover of the box is of heavy cast iron, equipped with finger grips and having the word "Water" cast on same; that the box is located approximately 22 inches from the building line and on the building wall immediately over the box a sign is provided stating that the box is over sprinkler control valve; that there is no approved sidewalk control valve box on the market.

Resolved, that the decision of the Fire Commissioner dated June 11, 1938, be and it hereby is *modified*, and the appeal be and it hereby is *granted* so as to permit the installation of control-valve box and valve, as indicated on plans filed with this appeal, *pending submission to the board of this or similar equipment for approval, on condition* that the installation shall be approved and made satisfactory to the Department of Water Supply, Gas & Electricity and the Fire Commissioner; and that a sign shall be installed as required in the Administrative Code, showing location of box shut-off.

528-38-A.

APPLICANT—Consolidated Expanded Metal Companies, for Watt Realty Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—111-02 to 111-12 76th avenue, northeast corner of Austin street (Block No. 2111, part of Lot No. 1), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Charles Rattner.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(528-38-A)

WHEREAS, Consolidated Expanded Metal Companies, for Watt Realty Co., Inc., owner, filed on June 23, 1938, an appeal from a decision of the Borough Superintendent, Dept. of Housing and Buildings affecting premises 111-02 to 111-12 76th avenue, northeast corner of Austin street (Block No. 2111, part of Lot No. 1), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, dated June 22, 1938, on N.B. 1910-38, reads as follows:

"1. The use of 'Jumbo' exanded metal reinforcing as lath for plastering is contrary to Sec. 8.4.10.3 as to the requirements of weight.

2. Lathing the entire building at one time with combustible lath is contrary to Sec. 8.4.10.2."

and

WHEREAS, the proposed building is to be six stories in height, 190 ft. by 90 ft. in area, of non-fireproof construction, located in a residence use, "D" area district; to be occupied as follows: Cellar—boilerroom and storage, no persons; 1st to 6th floors, inclusive, Class A multiple dwelling; it is proposed to lath the building throughout with 'Jumbo' lath; and

WHEREAS, the applicant contends as to objection No. 1, that the Expanded Metal Reinforcing (Jumbo) which it is proposed to use as lath, varies slightly from the required weight; that the reason for the minimum requirement of 3 lbs., as provided in the Building Code, is to provide sufficient thickness of metal so as to withstand corrosion; that corrosion is minimized with Jumbo Expanded Metal Reinforcing, due to the fact that its design permits the plaster to completely cover the metal stands, thus preventing moisture from coming in contact with the metal; that greater strength is achieved by the use of Jumbo Expanded Metal Reinforcing, due to the fact that the flameproof paper backing, forces the plaster to fully enclose the metal, thus resulting in a reinforced form of construction; that as to objection No. 2, applicant contends that the report of the National Bureau of Standards of the Department of Commerce, rated partitions constructed with Jumbo Expanded Metal Reinforcing at one hour; that this lath is incombustible even when not plastered; that it will form an effectual fire stop in the event of fire; that to restrict the use of this lath to a portion of the building is economically unfeasible and that unless a variance is granted so as to permit the lathing of the entire building at one time, this material cannot be used.

Resolved, that the decision of the Borough Superintendent, in acting on N.B. 1910-38, be and it hereby is *modified*, and the appeal be and it hereby is *granted,* permitting the use of the Jumbo Expanded Metal lath (weighing 2.2 lbs. per square yard, not including the paper backing; or, 2.86 lbs. per square yard with the paper backing), as proposed, and permitting the building to be lathed at one time, *on condition* that in all other respects the lath shall be installed in accordance with the requirements of the Code.

537-38-A.

APPLICANT—George Edward Beatty, for Steeplechase Amusement Co., Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1600-1736 Surf avenue, 1601-1735 Boardwalk, 3002-3104 West 16th street and 3001-3101 West 19th street (Block No. 7073, Lot Nos. 1 and 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: George Edward Beatty.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(537-38-A)

WHEREAS, George Edward Beatty, for Steeplechase Amusement Co., Inc., owner, filed on June 24, 1938, an appeal from an order of the fire commissioner affecting premises 1600-1736 Surf avenue, south side, between West 16th and West 19th streets, 1601-1735 Broadwalk, 3002-3104 West 16th street and 3001-3101 West 19th street (Block No. 7073, Lot Nos. 1 and 14), Borough of Brooklyn: and

WHEREAS, Order No. 75559-LC, issued by the fire commissioner May 27, 1938, reads as follows:

"Referring to your application dated May 18, 1938, for a permit to store liquefied chlorine, the administrative code of the city of New York, C-19-95, O-d, 1 and 6, states that it is unlawful to store, sell, use or transport any liquefied chlorine without a permit. Also that liquified chlorine gas may be stored only in approved fireproof buildings used exclusively for the storage of liquefied chlorine; that no permit for the storage and use of liquefied chlorine shall be issued in any building, lot or enclosure located within 50 ft. of the nearest wall of a building occupied as a hospital, school, theatre or other place of public amusement or assembly. Your application is therefore denied.

1. You are ordered forthwith to remove all liquified chlorine from these premises and discontinue the storage and use of same."

and

WHEREAS, the premises consists of a plot 596 ft. 2⅛ in. by 861 ft. 1¾ in. in area, occupied by Steeplechase park and swimming pool, upon which a chlorine storage building of frame construction 4 ft. 6 in. by 4 ft. in area, one story 7 ft. 6 in. in height is located. The premises are equipped with a standpipe and sprinkler system and are located in a business use, "A" area district; and

WHEREAS, the applicant contends that all surrounding buildings are amply protected with sprinklers, standpipe and city high pressure water system, and the broad open spaces of Steeplechase park give more than enough emergency exit facilities to the street and safety; that trained employees are always present in charge of this system and for the proper evacuation of the place in case of necessity; that further protective devices and additions will be made to the system, including a large shower head over the chlorine tank, with remote control valve on the 1½ inch supply line, properly labeled, and the tank strapped rigid, and that the doors and windows of the chlorine storage building will be made tight with gaskets, and a gas mask will be kept always in readiness near the door to the chlorine building.

Resolved, that the order of the fire commissioner No. 75559-LC be and it hereby is *modified,* and the appeal be and it hereby is *granted,* to permit the storage of liquefied chlorine, *on condition* that not more than 150 lbs. of chlorine shall be stored at any time; that the cylinder shall be the type approved by the Inter-State Commerce Commission; that the building in which this cylinder is stored shall be of fireproof construction with a self-closing, fireproof door; that there shall be a sill constructed 6 inches in height; that the entire building should be practically vapor-proof and unventilated; that there shall be a connection in the floor to the sewer; that there shall be a sprinkler head of the open sprinkler-head type or shower-bath type, fed through a one-inch water line with a valve on the exterior of building with a sign indicating its use; that there shall be installed a Wallace & Tiernan or similar approved distributing valve within the building; that the chlorine tank shall be held in vertical position and properly braced with a substantial iron band; that any windows installed shall be fireproof, fixed, glazed with wire glass; that a gas mask shall be installed on the exterior of the building in a cabinet, such mask to be

as approved by the U. S. Bureau of Mines for use with liquefied chlorine; that the installation shall at all times be under the supervision of a person holding a certificate of fitness issued by the fire commissioner; and that during the period this pool is not in operation the chlorine shall be entirely removed from the premises.

539-38-A.

APPLICANT—Anthony L. Bourke, for Marguerite A. Bourke, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—East side of Cross Bay boulevard, 150 ft. south of 22nd road (Block No. 209, Lot No. 71), Big Egg Marsh, Broad Channel, Borough of Queens.

APPEARANCES—
For Applicant: Anthony L. Bourke.
For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(539-38-A)

WHEREAS, Anthony L. Bourke, for Marguerite A. Bourke, owner, filed June 24, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises, east side of Cross Bay boulevard, 150 ft. south of 22nd road (Block No. 209, Lot No. 71), Big Egg Marsh, Broad Channel, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent of Buildings, on New Building Application No. 4863-1938, dated June 24, 1938, reads:

"The moving and erection of a frame building within the fire limits is contrary to section 4.1.2 and 4.1.7 of the Building Code."

and

WHEREAS, the building is one story 18 feet in height, 16 by 32 feet in area, of frame construction, located in an undetermined use, "A" area district and occupied as a summer dwelling for one family; and

WHEREAS, the applicant contends that the building will be moved to the new location from a lot in the immediate vicinity; that the building will be located at least seven feet from any other building, i.e. each side yard will have a minimum dimension of 3½ feet; that the building will be set back from the building line at least 10 feet; that in view of the fact that foundations are not feasable at this location, the dwelling will be placed on locust piles and will be occupied only during the summer months and will not be heated.

Resolved, that the decision of the Borough Superintendent in acting on N.B. App. No. 4863-1938, be and it hereby is *modified,* and the appeal be and it hereby is *granted* to permit the re-location of existing frame building as proposed, *on condition* that there shall be a side yard not less than 3½ ft. on each side of the building; that the building shall be set back from the building line not less than 10 ft.; and that the building may be erected on locust piling.

540-38-A.

APPLICANT—Anthony L. Bourke, for George A. Williams, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—North side of 22nd road, 250 ft. east of Cross Bay boulevard (Block No. 209, Lot No. 75), Big Egg Marsh, Broad Channel, Borough of Queens.

APPEARANCES—
For Applicant: Anthony L. Bourke.
For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(540-38-A)

WHEREAS, Anthony L. Bourke, for George A. Williams, owner, filed June 24, 1938, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises north side 22nd road, 250 ft. east of Cross Bay boulevard (Block No. 209, Lot No. 75), Big Egg Marsh, Broad Channel, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent of Buildings, on application No. 4862-1938, dated June 24, 1938, reads:

"The moving and erection of a frame building within the Fire Limits is contrary to Section 4.1.2 and 4.1.7 of the Code."

and

WHEREAS, the building is one story, 18 ft. in height, 18 by 24 feet in area of frame construction, located in an undetermined use "A" district, to be occupied as a frame dwelling for one family; and

WHEREAS, the applicant contends that the building will be moved to the new location from a lot in the immediate vicinity; that the building will be located at least seven feet from any other building, i.e., each side yard will have a minimum dimension of 3½ feet; that the building will be set back from the building line at least 10 feet; that in view of the fact that foundations are not feasable at this location, the dwelling will be placed on locust piles and will be occupied only during the summer months and will not be heated.

Resolved, that the decision of the Borough Superintendent, in acting on N.B. App. No. 4862-1938, be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the relocation of existing frame building as proposed, *on condition* that there shall be a side yard not less than 3½ ft. on each side of the building; that the building shall be set back from the building line not less than ten (10) feet; and that the building may be erected on locust piling.

541-38-A.

APPLICANT—Anthony L. Bourke, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—South side of 22nd road, 250 ft. east of Cross Bay boulevard (Block No. 209, Lot No. 73), Big Egg Marsh, Broad Channel, Borough of Queens.

APPEARANCES—
For Applicant: Anthony L. Bourke.
For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(541-38-A)

WHEREAS, Anthony L. Bourke, owner, filed June 24, 1938, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises south side 22nd

road(250 ft. east of Cross Bay boulevard (Block No. 209, Lot No. 73), Big Egg Marsh, Broad Channel, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, on Application No. 4861-1938, dated June 24, 1938, reads:

"The moving and erection of a frame building within the fire limits is contrary to section 4.1.2 and 4.1.7 of the building code. Not further examined."

and

WHEREAS, the building is one story 18 feet in height, 16 feet by 24 feet in area of frame construction located in an undetermined use, "A" area district, to be occupied as frame dwelling for one family; and

WHEREAS, the applicant contends that the building will be moved to the new location from a lot in the immediate vicinity; that the building will be located at least seven feet from any other building, i.e., each side yard will have a minimum dimension of 3½ feet; that the building will be set back from the building line at least 10 feet; that in view of the fact that foundations are not feasable at this location, the dwelling will be placed on locust piling and will be occupied only during the summer months and will not be heated.

Resolved, that the decision of the Borough Superintendent, in acting on N.B. App. No. 4861-1938, be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the relocation of existing frame building as proposed, *on condition* that there shall be a side yard not less than 3½ ft. on each side of the building; that the building shall be set back from the building line not less than ten (10) feet; and that the building may be erected on locust piling.

216-34-A.

APPLICANT—Haeuser Shellac Company, Inc., lessee.

SUBJECT—Application for consideration—reopening and extension of permit—re appeal from an order of the fire commissioner.

PREMISES AFFECTED—52-64 Warren street, south side, 214 ft. west of Columbia street (Block No. 303, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harold C. Krulder, Frederick Shipley and George E. Strehan.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(216-34-A)

WHEREAS, this appeal from an order of the fire commissioner affecting premises 52-64 Warren street, south side, 214 ft. west of Columbia street (Block No. 303, Lot No. 1), Borough of Brooklyn, was granted by the board June 18, 1935, on certain conditions, resolution amended extending until July 7, 1936 and appellant requested a further extension of the permit; and

WHEREAS, applicant has filed a copy of order No. 75687-LC ordering the removal of chlorine.

Resolved, that the Board of Standards and Appeals does *hereby amend* its resolution adopted on June 18, 1935, July 7, 1936, as amended June 8, 1937, so that as amended it shall read:

"*Resolved,* that the orders of the fire commissioner, No. 65096-LC, 71251-LC and 75687-LC be and they hereby are *modified* and that the appeal be and it hereby is *granted,* permitting the use of liquefied chlorine, in accordance with plans and application previously approved under plan filed with the fire commissioner, No. 1967-32, for a period of one year from June 27, 1937, *on condition* that the additional requirements incorporated in the report of the committee of the board, dated June 17, 1935, shall also be complied with *and that the required permit from the Fire Commissioner shall be obtained.*"

VARIATIONS OF LABOR LAW

496-38-S.

APPLICANT—The Salvation Army, lessee.

SUBJECT—Variation of the labor law as cited in an order of the acting borough superintendent of buildings.

PREMISES AFFECTED—250 Myrtle avenue, south side, 90 ft. east of Ashland place, 99-113 Ashland place and 47-57 Bolivar street, northeast corner (Block No. 2068, Lot Nos. 1, 26 and 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to July 19, 1938, at 2 P. M. on written request of applicant.

473-38-S.

APPLICANT—Subway Arcade Foods, Inc., lessee.

SUBJECT—Application for variation of the labor law, as cited in a decision of the Board of Health of the Department of Health.

PREMISES AFFECTED—261 West 42nd street, northeast corner of Eighth avenue (Block No. 1014, Lot Nos. 1 to 4½ inc.), Borough of Manhattan.

APPEARANCES—

For Applicant None.

ACTION OF BOARD—Laid over to July 6, 1938, 2 P. M., on request of Health Department.

507-38-S.

APPLICANT—Saul Goldsmith, for Kolb Holding Corporation, owner.

SUBJECT—Variation of the labor law, as cited in a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—329 Myrtle avenue, north side, 79 ft. west of Carlton avenue (Block No. 2043, Lot No. 89), Borough of Brooklyn.

APPEARANCES—

For Applicant: Saul Goldsmith.

For Administration: S. Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to July 12, 1938, at 2 P. M., for inspection by a committee of the board.

506-38-S.

APPLICANT—Ely Jacques Kahn, for Elbeco Realty Corporation, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—500-512 Eighth avenue, east side, from West 35th street to West 36th street, 269 West 35th street and 268 West 36th street (Block No. 785, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: J. B. Newman.

For Administration: Jacob Scharf, Department of Housing and Buildings

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

MINUTES

THE RESOLUTION—

(506-38-S)

WHEREAS, Ely Jacques Kahn, for Elbeco Realty Corporation, owner, filed June 20, 1938, a petition for variation of the Labor Law, as cited in a decision of the Borough Superintendent of Buildings, affecting premises 500-512 Eighth avenue, east side, from West 35th street to West 36th street, 269 West 35th street and 268 West 36th street (Block No. 785, Lot No. 1), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent, dated June 17, 1938, re. Alt. Applic. No. 1793-1938, reads:

"1. If it is proposed at any time to sublet part of the building, the opening in the enclosure of the new stair to the basement must be provided with a self-closing fire door opening out, the width of which must be at least 44 inches. Sections 261, 270, subdivision 5 and 7, Labor Law."

and

WHEREAS, the building is 12 stories, 150 ft. in height, 172 ft. 6 in. by 124 ft., irregular in area, of fireproof construction, erected in 1921 and occupied as follows: Cellar—sales and storage, 10 persons; 1st floor—store sales, 45 persons; 2nd floor—store, offices, 225 persons; 3rd floor—sales, 35 persons; 4th floor—alteration and fitting rooms, 35 persons; 5th floor—sales, 10 persons; 6th floor—sales, 10 persons; 7th floor—75 persons; 8th floor—sales, 10 persons; 9th floor—20 persons; 10th floor—sales, 20 persons; 11th floor—sales and stock, 20 persons; 12th floor—stock, manufacturing, mailing, etc., 55 persons; Certificate of Occupancy No. 16619 was issued July 16, 1930. The building is equipped with two interior stairs and one fire tower of fireproof construction, equipped with kalameined self-closing doors at the openings; and

WHEREAS, the applicant contends that the building was originally constructed as a furniture store and factory in connection therewith; that due to the changing economic situation, the building is now occupied as a general department store with incidental manufacturing; that the entire buildng is occupied by the owner who does not desire to give up the present manufacturing privileges because he cannot foresee future economic conditions; that in addition to the three existing stairs serving the basement salesroom, it is proposed to install a supplemental iron stairway between 5 and 6 feet wide, running from the 1st floor to the basement; that this stairway will be equipped at the 1st story with bronze rails, stairs to be of steel and terrazzo or marble construction, enclosed in the basement in 6-inch terra cotta blocks, lined on the stair side with fireprooof wood against a solid plaster backing; an automatic self-closing sliding fire door will be provided at the basement level; that the proposed stairway is over and above the required exits; that the proposed alteration is necessary to make the basement salesroom more inviting for customers.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the application be and it hereby is *granted on condition* that the construction of the supplementary stairway shall be as stated in statement attached to this application and permitting the sliding automatic door at the foot thereof.

APPLIANCES SUBMITTED FOR APPROVAL

56-38-SA.

APPLICANT—Duplex Cinema Equipment, owner.

SUBJECT—Duplex DeLuxe Splicing Machine, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of a committee of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(56-38-SA)

WHEREAS, the Duplex Cinema Equipment, owner, filed February 1, 1938, an application with the Board of Standards and Appeals for approval of their device known as Duplex de Luxe Splicing Machine; and

WHEREAS, this device was submitted to a committee of the board for test and report; and

WHEREAS, the report of the committee was as follows:

Re: Cal. No. 56-38-SA.

Duplex DeLuxe Splicing Machine.

Duplex Cinema Equipment filed February 1st, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Duplex DeLuxe Splicing Machine.

This device was inspected and tested at the United Artist Corporation, 729 Seventh avenue, New York City, by a committee of the board consisting of Commissioner Blum and Chief Engineer Huber.

The device is a machine to splice motion picture film. It is six inches wide, 5½ inches high and 8 inches long, so arranged as to clamp film over a plate which is warmed by an electric heating element, a built in scraper removes emulsion from film and the warming element renders driping of splice non-rapid.

It is recommended that the Duplex DeLuxe Splicing Machine be approved in accordance with C 19-112.0 Administrative Code, for use in New York City when constructed and operated in accordance with the report and on condition that the device shall bear a label permanently affixed thereto reading—

APPROVED BY THE
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. NO. 56-38-SA.
(Sgd.) CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Duplex Splicing Machine, when installed, operated and labeled, in accordance with the above report.

134-38-SA.

APPLICANT—G. A. L. Electro Mechanical Service, for Harold Leon, owner.

SUBJECT—G. A. L Bar Interlock, Type K-5 (for Elevator Doors), approval of

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of a committee of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(134-38-SA)

WHEREAS, the G. A. L. Electro Mechanical Service for Harold Leon, owner, filed March 3, 1938, an application with the Board of Standards and Appeals for approval of their device known as the G. A. L. Bar Interlock Type K-5 (for elevator doors); and

WHEREAS, the device was submitted to the testing committee of the Board for investigation and report; and

WHEREAS, the report of the committee of the Board was as follows:

REPORT OF COMMITTEE ON TESTS

Cal. No. 134-38-SA.

Subject: G. A. L. Bar Interlock, Type K-5.

May 21, 1938.

The G. A. L. Electro Mechanical Service of New York City filed March 3, 1938, an application with the Board of Standards and Appeals for approval of their elevator door device, known as G. A. L. Type K-5 BAR INTERLOCK, for use on double-swinging elevator doors.

This device is an electro mechanical interlock intended for use on manually-controlled elevators with double-swinging doors to prevent the operation of the elevator unless all hoistway doors are closed and locked. This device in effect consists of two (2) K-1 units (previously approved for use in New York City when used individually), each mounted in a common housing. The assembly includes a switch comprising a movable contact bar, stationary contacts of the wiping type, an operating mechanism enclosed within the case and a locking bar or chain which serves to lock the door automatically. This bar or chain is installed in a vertical position on the hoistway door, the switch is mounted on the frame of the hoistway door. The interlock switch and car control are connected so that the car-control circuit is open unless all doors are closed and locked. To open the door, the bar or chain is manually withdrawn and the rotating cam opens the contact. This cam is weighted so that the contact can be held open by gravity, and may be opened forcibly by means of a notch in the locking bolt which engages a projection on the contact cam. In closing the door, the locking bolt under compression spring action of the locking bar or chain engages the cam which moves upwards and closes the contacts. This locking bolt protrudes into the housing at least ¼ inch before contacts are closed, thus locking the door before circuit is closed. The details of the construction and the report of the Underwriters' Laboratories are filed with this application.

The tests of the Underwriters' Laboratories, performed in accordance with the Elevator Rules of the Board of Standards and Appeals, Rule 8, titled "Tests of Interlocks" and (B.C. 13.8.2) C26-1186.0 Administrative Code indicate that the device has met the requirements of these tests. A letter is filed by the applicant in support of waiving the requirement for testing this device for effect of temperature. Coupled with an examination of the clearances between all parts, it is apparent that an increase of temperature of 115° F. will not have a binding effect on any part of this mechanism.

On the basis of these tests, it is recommended that the G. A. L. BAR INTERLOCK, Type K-5, consisting specifically of two (2) K-1 units in a common housing, be approved for use in New York City, subject to emergency and service key requirements (13. 2.3.1.8) C26-903.0 Administrative Code, as meeting the requirements of the hoistway unit system as specified in (13.2.3.3.1) C26-914 Administrative Code and for use as permitted in (13.2.3.2.1) C26-907.0 Administrative Code, and under the pertinent provisions of the Elevator Rules of the Board of Standards and Appeals when in addition to the marking as provided in (13.2.3.2.7) C26-913.0 Administrative Code, the following shall be added: "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 134-38-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *reaffirm* the approval issued by the Superintendent of Buildings, for G. A. L. Bar Interlock, Type E, Type K, Type K1, Type K2, Type K3 and Type K4 and does hereby approve the G. A. L. Bar Interlock Type K-5 for use in New York City, when constructed, operated and installed in accordance with above report *on condition,* that these devices in addition to the marking required by C26-913.0 Administrative Code, shall have a label reading: Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 134-38-SA.

381-38-SA.

APPLICANT—G. Sivertsen, for Davidson Electric Co., owner.

SUBJECT—Davison Automatic Damper Control, Model M405A, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of the engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(381-38-SA)

WHEREAS,, G. Silvertsen, for Davidson Electric Co. owner, filed May 19, 1938, an application with the Board of Standards and Appeals for approval of the device known as Davidson Automatic Damper Control, Model M 405 A; and

WHEREAS, this device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board, supplemented by those of the representatives of the division of combustibles of the fire department, was substantially as follows:

This damper is automatically controlled by means of two motor switches connected in series with the operation of the burner. Each damper has an opening in it approximately three (3) square inches, thus assuring that the flue gases at no time will be completely shut off.

The damper closed 35 seconds after the oil supply was shut off. On the starting up of the burner, the oil supply is retarded for one minute, which allows the motor switch to completely open the damper. The purpose of this damper is to retain the top heat in bake ovens at pre-determined temperature after the burner is shut down.

This apparatus was tested and it was found that the same functioned as designed. Due to the fact that there is an opening in the damper, flue gases are not completely shut off. The apparatus does not, in any way, violate the provisions of Rule 12 of the Oil Burner Rules of the Board of Standards and Appeals.

However, as there is no provision to require the installation of such dampers, it is recommended that this device be approved for *voluntary installations only.*

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Davidson Automatic Damper Control, Model M 405 A, for *voluntary installations,* in oil burning installations in bake ovens, when installed and operated in accordance with the above report, *on condition,* that the device shall have a label reading: Approved by the Board of Standards and Appeals for voluntary use with bake ovens in New York city under Cal. No. 381-38-SA.

Adjourned, 6:00 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, June 21, 1938, as they appeared in Bulletin No. 26, Vol. 23, are hereby corrected to read as follows:

413-20-BZ.

APPLICANT—Maxwell A. Cantor, for John Giannattasio, owner.

SUBJECT—Application for consideration—reopening and amendment. (This application was previously granted by the board, July 30, 1920, on condition that stores, at least twenty-five (25) feet in depth, be erected along the Fulton street frontage. The request to reopen is to permit the omission of the stores and the erection of a gasoline service station in lieu thereof). Re Application (decision of the superintendent of buildings) under sections 7c and 7e of the building zone resolution, permitting the extension from an unrestricted use district into a business use district of a proposed two-story garage for more than five (5) motor vehicles.

PREMISES AFFECTED—872-880 Fulton street, southwest corner of Waverly avenue (Block No. 2011, Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application for reopening withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

*Correction—The words "This application was previously granted by the board, July 30, 1920, on condition that stores, at least twenty-five (25) feet in depth, be erected along the Fulton street frontage. The request to reopen is to permit the omission of the stores and the erection of a gasoline service station in lieu thereof" inserted in line 5 of the digest.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, November 10, 1936, as they appeared in Bulletin No. 46, Vol. XXI, are hereby corrected to read as follows:

THE RESOLUTION—

(337-35-A)

WHEREAS, Otto J. Sambach, for Great Eastern Coal Co., Inc., owner, filed November 15, 1935, an appeal from an order of the fire commissioner, affecting premises 1739-1751 Hart place, south side, 287 ft. 7¾ in. west of Cropsey avenue (Block No. 6993, Lot 20, and Block 6994, Lot No. 27), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated October 30, 1935, re Order No. 66979-LC, reads:

"You are hereby notified that an inspection of the above premises used for storage of fuel oil shows that the following must be done before the permit requested by you can be issued.

No. 2. Remove all oil from two (2) 4500 gallon vertical tanks nearest dock; discontinue the further storage of oil in said tanks; close and seal inlet of said tanks for the reason that tanks were installed without plans being approved and installation of said tanks made without test and supervision of the fire department.

Please notify this department promptly when this order has been complied with. It is unlawful for you to store oil without a permit."

and

WHEREAS, the premises consist of an office, scales, four (4) reinforced concrete coal silos, twelve large steel tanks of various capacities and pump house; bounded on the northwest and southwest by Coney Island Creek, 100 ft. by 142 ft. 10 in. in area; OCCUPIED: as an oil storage plant, located within an unrestricted district; and

WHEREAS, this appeal was withdrawn January 14, 1936; and

WHEREAS, applicant requested a reopening of the case stating that a foamite system had been installed; and

WHEREAS, this case was reopened by vote of the board; and

WHEREAS, from report of Division of Combustibles, Fire Department, Brooklyn, the two tanks in question were tested for two minutes, 35 lb. pressure, as well as piping thereto, and found to be O. K.

Resolved, that the order of the fire commissioner No. 66979-LC be and it hereby is *modified*, and the appeal be and it hereby is *granted* to permit the use of two (2) existing 4500-gallon vertical storage tanks, located adjacent to the bulkhead, as indicated on plans filed with this appeal marked "Received November 15, 1935" *on condition* that these tanks shall be used for storage of fuel only and shall be subject to and fulfill the requirements of the Oil Burner Rules (Rule 10, Section 3), prescribing the test requirements; and that all other oil storage equipment shall *be maintained in accordance with the duly approved plans.*

*Correction—The words "comply with the Oil Burner Rules of the Board of Standards and Appeals" omitted in line 50 of resolution and the words *"be maintained in accordance with the duly approved plans"* inserted therefor.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, June 14, 1938, as they appeared in Bulletin No. 25, Vol. No. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(193-38-A)

WHEREAS, Arthur H. Haaren, for Seventh Avenue Realty Company, owner, filed on March 10, 1938, an appeal from an order of the commissioner of buildings and decisions of the acting borough superintendent, Department of Housing and Buildings, affecting premises 17 East 54th street, north side, 110 ft. west of Madison avenue (Block No. 1290, Lot No. 13), Borough of Manhattan; and

WHEREAS, Order No. 35443-F, issued by the commissioner of buildings on May 10, 1937, reads as follows:

"1. Provide iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at east side of building or other approved protection, as per Sec. 375, Art. 18, Ch. 5, Code of Ordinances."

and

WHEREAS, the decision of the acting borough superintendent, Department of Housing and Buildings, dated February 4, 1938, reads as follows:

"In reply to your communication dated February 2nd wherein you request rescindment of Order 35443-F, affecting the above premises, you are advised that your request must be denied for the reason that this order is mandatory and therefore cannot be cancelled by this department."

and

MINUTES

WHEREAS, the decision of the acting borough superintendent, Department of Housing and Buildings, dated February 11, 1938, reads as follows:

"The following is a copy of Order No. 35443-F, issued on May 10, 1937, against premises 17 East 54th street, Manhattan, and pending in this department:

1. Provide iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at east side of building or other approved protection. Sec. 375, Art. 18, Chap. 5, Code of Ordinances."

and

WHEREAS, the building is 5 stories (60 ft.) in height, 20 ft. 10 in. by 100 ft. 5 in. in area on 1st story and 20 ft. 10 in by 57 ft. 8 in in area above; of non-fireproof construction, erected in 1900 and located in a business use district; occupied as follows: 1st floor—dress store, 3 persons; 2nd floor—book shop, 2 persons; 3rd floor—ladies' tailor, 3 persons; 4th floor—dress store, 5 persons; 5th floor—ladies' tailor, 3 persons, for which Certificate of Occupancy No. 11472 was issued October 4, 1926, permitting the following use and occupancy; Basement—stores and factory, 30 persons; 1st to 4th floors—(inclusive—showrooms and factory, 12 persons per floor; and

WHEREAS, the applicant contends that the windows in question are wood frames, glazed with ½-in. plate glass; that the windows in adjoining building, 19 East 54th street, are equipped with steel shutters; that said building is equipped with a standpipe system; that the premises in question are used only for light manufacturing; that an attempt is now being made to assemble a sufficiently large plot, taking in this building, on the assembling of which this building will be demolished and a modern building erected.

Resolved, that the order of the commissioner of buildings, No. 35443-F, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, waiving the requirements for fireproofing the most westly window on the main 4th floor overlooking the rear extension and waiving the requirements for fireproofing the windows in the extension opening from toilet room enclosure, *on condition* that in all other respects all other windows shall be made fireproof and self closing, and as required by the resolution adopted by the board on June 22, 1936, under Cal. No. 28-35-S.

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*Correction—"June 22, 1936, under Cal. No. 28-35-S" changed to "June 22, 1926, under Cal. No. 28-25-S" in next to last line of resolution.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

Name of Pump	*Calendar No.*
American Marsh Duplex	638-25-SA
American Marsh Simplex	639-25-SA
Autopulse Electric Fuel Oil Pump	215-31-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA
Ballard Duplex Electric Driven Pump Set	1413-22-SA
Beach Russ Co. Rotary	1134-22-SA
Blackmer Rotary	935-24-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA
Century Rotary	908-21-SA
Cook Electric Oil Pump	603-25-SA
Davidson	590-21-SA
Dean Bros. Durable Duplex	840-22-SA
DeLaval IMO Oil Pump	628-32-SA
Deming Double Oscillating Force Pump	458-27-SA
Deming Fuel Oil Pump	298-31-SA
Enterprise Oil Pump	11-28-SA
Exeter Rotary	507-22-SA
General Electric Oil Pump	475-32-SA
Goulds Hand Rotary	1133-25-SA
Goulds Rotary Oil Pump	437-31-SA
Goulds Triplex Plunger	257-22-SA
Hardinge Fuel Oil Pump	813-25-SA
Kinney Rotating Plunger Pump	503-24-SA
Koerting Gear Pump	1264-25-SA
Kraissl Fuel Oil Pump	60-28-SA
Leiman Rotary	95-24-SA
Marsh Fuel Oil Pump	1050-23-SA
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
M. D. Rotary	52-27-SA
Milwaukee Piston Rotating Port Pump	763-25-SA
Monroe Oil Pump	658-26-SA
National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Northern Rotary	1396-24-SA
Pascoe Pump Set	1029-26-SA
Petro-Nokol Industrial Oil Pump	570-32-SA
Quiet May Gerotor Pump	267-32-SA
Quimby Screw Pump	1193-21-SA
Range-O-Matic Oil Pump, Model 50 and Suction Model	102-35-SA
Ray Rotary	588-25-SA
Rotary Pressure Pump	1060-25-SA
Rotary Vacuum Pump	513-25-SA
Samson Magnetic Fuel Oil Pump	163-34-SA
S. B. U. Pumps, Models A, B, C and D	410-32-SA
Sundstrand Fuel Unit (Pump), Models 7-OB and 77-OB	199-36-SA
Tate-Jones	492-21-SA
Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
Teesdale Oil Pump, Types S, 2S and 4S	281-38-SA
Tuthill Model B Fuel Oil Pump	60-28-SA
Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-SA
Union Steam Pump for Fuel Oil	705-30-SA
Viking	438-21-SA
Warren Oil Pump	1169-23-SA
Wayne Oil Pump & Fan Set	1155-25-SA
Webster Fuel Oil Pump, Types A, Q and T	23-34-SA
Worthington Duplex Double-Acting Steam Pump	184-22-SA
Worthington Show Model Duplex	194-22-SA

APPROVED APPLIANCES

APPROVED RANGE OIL BURNERS AND SPACE HEATERS

Name of Burner	*Calendar No.*
A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6, AS-9 and A-3798 Water Heater Assembly	250-34-SA
Aetna Range Oil Burner	29-35-SA
Aetna Water Heater, Models 6, 7, 9 and 47 W.H.T. and 15 and 16 W.H.T.	148-37-SA
Air-O-Flame Space Heater, Models 108 and 810 (pot type)	190-35-SA
Air-O-Flame Space Heater, Models 71, 91, 1572 and 1582 (sleeve type)	206-35-SA
Air-O-Flame Range Burner	236-34-SA
American Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92	224-36-SA
Ameroil Oil Burner for Stoves and Ranges	592-32-SA
Biltwell Range Oil Burner, Models B-1 and B-2	196-34-SA
Bland Range Oil Burner	234-34-SA
Blue Glow Range Oil Burners, Models Supreme and DeLuxe	308-34-SA
Brigham Range Oil Burner	217-35-SA
Caloroil Range Oil Burner	172-34-SA
Champion Range Oil Burner, Models A and B	291-34-SA
Cole Hot Blast Oil Burning Stove, Model No. 912	207-35-SA
Coleman Oil Burning Circulating and Space Heater, Model 825	308-36-SA
Diamond Range Oil Burner	325-34-SA
Easyway Range Oil Burner, Models D27, DC27, G27 and NG27	157-35-SA
Easyway Space Heater, Models CRL19, CRN17, CSP27 and CSP19	158-35-SA
Easyway Water Heater, Models H.W.1 and H.W.2	159-35-SA
Ellington Range Oil Burner, Square Circulating Heater and Round Circulating Heater	351-34-SA
Ellington Range Oil Water Heater, Models M and J	40-35-SA
Evur-Ready Range Oil Burner, Models Leader, Standard and DeLuxe	311-34-SA
Fairfax Range Burner	302-34-SA
Florence Oil Heater, Models KC-9, GC-6, GC-7, GS-27, CH-9, CH-27, CH-28, CH-29, RH-7 and RH-9	62-33-SA
Florence Oil Space Heater, Models PH-28, PH-8, PC-8, PC-28, PR-10, PR-81 and PR-82	172-35-SA
Florence Range Burners	219-34-SA
Fox Range Oil Burner	200-34-SA
Gilbert and Barker Oil Space Heaters, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811	56-37-SA
Hi-Heat Range Burner, Models A and De-Lux	323-34-SA
Hupp Range Oil Burner, Models S.D. and C.D.	309-34-SA
Ker-Oil Automatic Water Heater	263-35-SA
Kerogas Bowl Type Space Heater, Models 300-300-A, 303-303-A, 310-310-A, 315-315-A and 320-320A	266-35-A
Kerogas Hot Blast Oil Heater, Models 210, 135, 110, 207 and 115	339-34-SA
Kolrid Range Burner	48-34-SA
Kres-Kno Range Oil Burner, Model MD. Sizes KR, KRF, KRF-1 and 1R	355-34-SA
Lochinvar Automatic Oil Burning Water Heater	143-36-SA
Lonergan Automatic Hot Water Heater	179-35-SA
Lonergan Oil Burning Heater, Models F-2, F-3, C-4, R-1 and R-2	263-34-SA
Loyalty Range Burner	302-34-SA
Lynn-Range Burner, Models Junior, Lypre and DeLuxe	238-33-SA
M.W. Bake Oven Range Burner, Model 448 and M.W. Core Oven Range Burner, Model 450	367-34-SA
M.W. Circulating and Radiant Heaters, Models 501, 601, 701 and 801	366-34-SA
M.W. Oil Burning Range, Commercial Models 152 and 251 and Domestic Models 101-G and 126-B	364-34-SA
Majestic Range Oil Burner, Models 27B and 27T	180-35-SA
Majestic Space Heater, Models 247T and 248.	181-35-SA
Majestic Water Heater, Models 255A and 255B	182-35-SA
Matchless Self-Lighting Range Oil Burner	410-37-SA
Moderne Range Oil Burner, Models Regular, Junior and Firenew	357-34-SA
National Range Oil Burner	361-34-SA
Nesco Circulating Heater, Models 041, 41, 042 and 42	264-36-SA
No-Wyck-Koaless Range and Stove Oil Burner	251-34-SA
Norge Space Heater, Models 75, 50, 37 and 37-R	366-34-SA
Octo Range Oil Burner	410-37-SA
Odin Beauty (Space Heater), Models 61, 62, 91 and 92	233-35-SA
Odin Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92	224-36-SA
Putnam Range Oil Burner	54-35-SA
Quaker Burnoil Stove	11-31-SA
Quick Meal Range Burner	304-34-SA
Quick Meal Space Heater, Models 5672-0, 5671-13, 5671-33 and 5671-35	306-34-SA
Quick Meal Water Heater, No. 5681-0	305-34-SA
Ray-Dio Sunshine Range Oil Burner, Models A, Daisy and Water Heater	32-31-SA
Sachem Oil Space Heater, Models GB-811, GB-815, GB-1011, GB-1015 and GB-1315.	56-37-SA
Samco Oil Space Heater, Models 1108 and 1110	73-37-SA
Sears Roebuck Oil Burning Water Heater, Hercules Model No. 2544	303-36-SA
Serv-Well Range Oil Burner, Models 27B and 27T	165-35-SA
Serv-Well Space Heater, Models 247T and 248	166-35-SA
Serv-Well Water Heater, Models 255A and 255B	167-35-SA
Silent Glow Range Oil Burner	172-34-SA
Silent Glow Si-Glo-Lo Oil Space Heater, Models 15, 35, 60 and 80	24-37-SA
Silent Heet Oil Burner for Ranges and Stoves	592-32-SA
Smith-Whaley Range Oil Burner, Models SW-1 and SW-2	196-34-SA
Speedy Hot Oil Space Heater, Models GB-811, GB-815, GB-1011, GB-1015 and GB-1315	56-37-SA
Superfex Oil Burning Heater, Models 1031, 1032, 1035, 1036, 1107, 1108, 1109, 1110, 1117, 1118, 1119 and 1120 and Superfex Heat Projector, Models 1051, 1052, 1053 and 1054	491-31-SA
Toridheet Range Water Heater, Models 222, 232 and 242	65-35-SA
Tower Range Oil Burner	126-33-SA
Vap-R-Oil Oil Burner for Ranges and Stoves	592-32-SA
Victor Circulating Fuel Oil Heater, Models VCH-27, VCH-19 and VCH-17	243-36-SA
Victor Range Oil Burner, Models VJ-275, VJ-195 and VO-275	329-34-SA
Viking Pot Type Space Heater, Models 120, 165 and 170	310-35-SA
Viking Range Oil Burner and Range Oil Burning Heater, Models 20, 30, 60, 65, 70 and 80	333-34-SA
Viking Range Water Heater, Models 222, 232 and 242	65-35-SA
Vitro-Heet Range Oil Burner, Model MD, sizes KR, KRF, KRF-1 and 1-R	355-34-SA

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1001 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Certiorari Order Served on Board.

Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting, July 6, 1938, at 10 A. M., Affecting Calendar Numbers 266-36-BZ, 461-37-BZ, 261-38-BZ, 1254-23-BZ, 340-38-BZ, 311-38-BZ, 13-38-BZ, 360-38-BZ and 532-37-BZ.

Minutes of Regular Meeting, July 6, 1938, at 2 P. M., Affecting Calendar Numbers 574-28-BZ, 394-37-BZ, 17-29-BZ, 895-27-BZ, 215-32-BZ, 717-29-BZ, 244-36-BZ, 535-38-A, 383-38-A, 553-38-A, 27-38-A, 483-38-A, 334-38-A, 434-38-A, 529-38-A, 530-38-A, 536-38-A, 538-38-A, 543-38-A, 556-38-A, 558-38-A, 560-38-A, 563-38-A, 1114-23-A, 473-38-S, 799-26-SA, 402-27-SA, 187-28-SA, 188-28-SA, 36-38-SA, 98-33-SA, 119-38-SM and 433-38-SM.

Minutes of Special Meeting, July 8, 1938, at 10 A.M., Affecting Calendar Numbers 633-26-BZ, 344-38-BZ, 284-36-BZ, 16-38-BZ, 288-38-BZ, 374-38-BZ, 612-37-BZ and 261-38-BZ.

Corrections Affecting Calendar Numbers 124-38-SM and 403-38-A.

Rules for Interior Fire Alarm Signal Systems.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to July 5, 1938

Cal. No. *Department* *Premises Affected*

553-38-A.....F.D.....Barge, 1,000 ft. off shore, foot of Ferris lane, Pleasant Bay Park, Unionport, Borough of The Bronx, Decision.

554-38-A.....H.B.M.....594-606 Eleventh avenue, east side, from West 44th street to West 45th street (Block 1079, Lots 2-8 and Lots 56-62), Borough of Manhattan. Viol. 2665-38, N.B. 275-37.

555-38-SA.....Varec Flame Arresters and Vent Valves, Appliance.

556-38-A.....H.B.M.....355-371 Fifth avenue, 188-198 Madison avenue, 1-15 East 34th street and 2-16 East 35th street (Block 864, Lot 1), Borough of Manhattan. Alt. 1672-38.

557-38-BZ.....H.B.M.....4376 Broadway, east side, 25 ft. 2-4/5 in. south of West 187th street (Block 2167, Lot 47), Borough of Manhattan, Alt. 1585-38.

558-38-A.....F.D.....North side of Surf avenue between West 8th street and West 12th street (Block 7268, Lots 1, 5, 9, 65, 75, 77, 100, 162, 225, 236, 281, 357 and 360); (Luna Park) Coney Island, Borough of Brooklyn. Order No. 8-A and Decision.

559-38-SA.....Radiant Oil Burner, Model 2½M, Appliance.

560-38-A.....H.B.Q.....Northeast corner of 167th street and Depot road (Block 5294, part of Lot 1), Flushing, Borough of Queens, N.B. 6369-37.

561-38-SA.....Kerrick Kleaner, Model Vapo-spray, Appliance.

562-38-S.....H.B.B.....62-68 18th street, south side, 325 ft. west of Third avenue (Block 632, Lot 4), Borough of Brooklyn, Alt. 8412-38.

563-38-A.....H.B.M.....1006 Fifth avenue, east side, 77.2 ft. south of East 82nd street (Block 1493, Lot 72), Borough of Manhattan, Alt. 1687-38.

564-38-SA.....Oil Aire-Flo Burner Unit, Series H, Appliance.

565-38-SA.....Lennox Oil Burner, Series LE1, LE2 and LE3, Appliance.

566-38-BZ.....H.B.Bx.....862 East 162nd street, south side, 125 ft. east of Prospect avenue (Block 2690, Lot 28), Borough of The Bronx, N.B. 663-20.

567-38-SA.....Schori Pistol for Spraying Powdered Metals (zinc, copper, lead, etc.), Appliance.

568-38-A.....F.D.....632-636 West 28th street, south side (Terminal Warehouse bldg.) (Block 673, Lot 1), Borough of Manhattan, 13062-L.C.

569-38-SM.....Laclede Steel Joists, manufactured by Laclede Steel Company, Material.

570-38-BZ.....H.B.M.....791-793 St. Nicholas avenue, west side, 51 ft. south of West 150th street (Block 2064, Lots 33 and 34), Borough of Manhattan, N.B. 103-38.

571-38-A.....H.B.M.....132-138 Fourth avenue, southwest corner of East 13th street (Block 564, Lot 45), Borough of Manhattan, N.B. 60-38 and Drop Curb, Applic. 44-38.

572-38-SA.....Gilbarco Calcometer M96, Gasoline Dispensing Pump, Appliance.

573-38-A.....H.B.B.....2-16 South Ninth street, south side, 230 ft. west of Kent avenue (Block 2143, Lot 1), Borough of Brooklyn, Applic. 4424-38.

Restored to Calendar.

574-28-BZ.....H.B.Bx.....1339 Jerome avenue, west side, 472.96 ft. south of West 170th street and 1338 Inwood avenue, east side, 469.99 ft. south of West 170th street (Block 2856, Lots 9, 10, 49 and 50), Borough of The Bronx, N.B. 3074-24.

284-36-BZ.....H.B.B.....1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block 1285, Lot 7), Borough of Brooklyn, Applic. 9616-38.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department and **F.D.**—Fire Department.

CERTIORARI ORDER SERVED ON THE BOARD OF STANDARDS AND APPEALS

On July 5, 1938, Levy, Kornblum & Katz, attorneys, served on board petition and order of certiorari, on behalf of Hanover Service Station, Inc., owner, re decision of board of June 7, 1938, denying gasoline service station partly in business and partly in residence use district, under section 21, Cal. No. 224-38-BZ, premises 32-11 to 32-19 Cross Island boulevard, Bayside, Borough of Queens.

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules....	**May 31, 1938—Vol. 23, No. 22**

CALENDAR

Certificate of Occupancy, approved forms	Aug.	2, 1932—Vol. 17, No. 31
Concrete Flat Slabs, Rules	July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)	Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules	Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)	June	15, 1937—Vol. 22, No. 24
Factory Exit Rules	May	24, 1938—Vol. 23, No. 21
Fire Alarm Rules (Interior)	July	12, 1938—Vol. 23, No. 28
Fire Drill Rules	June	21, 1938—Vol. 23, No. 25
Fire Retarding Rules for Garages, etc.	June	21, 1938—Vol. 23, No. 25
Fireproof Wood, Testing of	Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	May	3, 1938—Vol. 23, No. 18
Gas Shut-Off Rules	Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection	June	5, 1928—Vol. 13, No. 23
Oil Burner Rules	June	7, 1938—Vol. 23, No. 23
Paint, Varnish and Lacquer Spraying Rules	April	26, 1938—Vol. 23, No. 17
Platform Trucks, Specifications for	Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug.	3, 1937—Vol. 22, No. 31
Procedure, Rules of	Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract C.O.	June	14, 1938—Vol. 23, No. 24
Smoking in Factories, Rules for	June	28, 1938—Vol. 23, No. 26
Sprinkler Rules	June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc	Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc	Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves	June	28, 1938—Vol. 23, No. 26
Fuel Oil Burners for Domestic and Commercial Use	Apr.	19, 1938—Vol. 23, No. 16
Fuel Oil Fill Pipe Terminals	June	28, 1938—Vol. 23, No. 26
Fuel Oil Burners for Industrial Use	June	28, 1938—Vol. 23, No. 26
Fuel Oil Pumps	July	5, 1938—Vol. 23, No. 27
Paint, Varnish and Lacquer Spraying Equipment	April	26, 1938—Vol. 23, No. 17
Range Oil Burners and Space Heaters	July	5, 1938—Vol. 23, No. 27

JULY 12, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, July* 12, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 338-38-BZ—Application, May 5, 1938, under section 21 of the building zone resolution, of Samuels and Samuels, applicants, on behalf of Grace F. Boardman, owner, to permit in a residence use district the maintenance of a stable for more than five (5) horses; premises 193-12 to 193-20 Salerno avenue and 194-02 to 194-08 Dunton avenue, southwest corner (Block No. 1431, Lot No. 159), Holliswood, Borough of Queens.

CAL. NO. 463-38-BZ—Application, June 7, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Preferred Estates, Inc., owner, to permit in a business use district the reconstruction of an existing gasoline service station; premises 172-02 Hillside avenue, southeast corner of 172nd street (Block No. 9829, Lot No. 37a), Jamaica, Borough of Queens.

CAL. NO. 186-30-BZ—Application of Ethel Quasman, applicant and owner, reopened May 24, 1938, under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a gasoline service station (previously withdrawn); premises 74-02 to 74-10 Jamaica avenue and 1 Elderts lane, southeast corner (Block No. 8899, part of Lot No. 1), Woodhaven, Borough of Queens.

CAL. NO. 425-38-BZ—Application, May 28, 1938, under section 21 of the building zone resolution, of 1215 Concourse Realty Corporation, applicant, on behalf of Bowery Savings Bank, owner, to permit in a business use district the erection and maintenance of a gasoline service station for a temporary period of five (5) years; premises 100 East 107th street and 1455 Park avenue, southeast corner (Block No. 1634, Lot No. 71), Borough of Manhattan.

CAL. NO. 420-37-BZ—Application, August 27, 1937, under sections 21 and 7h of the building zone resolution, of J. Bert Miller, applicant and lessee, on behalf of Mainrose Realty Corporation, owner, to permit, in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 136-30 Roosevelt avenue, south side, 295 ft. east of Main street (Block No. 5019, Lot No. 16), Flushing, Borough of Queens.

CAL. NO. 42-38-BZ—Application, January 21, 1938, under sections 7b, 7c and 21 of the building zone resolution, of Thomas W. Golding, applicant, on behalf of Henry Pape, owner, to permit, partly in a business use district and partly in an unrestricted use district, the maintenance of a garage for more than five (5) motor vehicles; premises 22-36 Caton place, south side, 182 ft. 10 in. east of Ocean parkway (Block No. 5320, Lot No. 55), Borough of Brooklyn.

CAL. NO. 27-33-BZ—Application of William E. Kennedy, applicant, on behalf of Joseph Moss, owner, reopened March 15, 1938 under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution); premises 212-31 115th avenue and 114-30 Springfield boulevard, northwest corner (Block No. 1949, part of Lot No. 1), St. Albans, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 12, 1938, 2 P. M.

Appeals from Administrative Orders

356-38-A—333 West 83rd street and 110-112 Riverside drive, southeast corner (Block No. 1245, Lot Nos. 47, 49, 54 and part of Lot No. 56), Borough of Manhattan.

306-38-A—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

CALENDAR

494-38-A—721-729 Lenox avenue, west side, from West 146th street to West 147th street, 101-165 West 146th street and 100-164 West 147th street (Block No. 2015, Lot No. 6), Borough of Manhattan.

505-38-A—625 Lexington avenue, east side, 100 ft. south of East 54th street (Block No. 1308, Lot No. 21), Borough of Manhattan.

484-38-A—315 East 137th street, north side, 200 ft. west of Alexander avenue (Block No. 2313, Lot No. 31), Borough of The Bronx.

412-38-A—96-85 219th street, east side, 100 ft. north of 97th avenue (Block No. 1696, Lot No. 6), Queens Village, Borough of Queens.

495-38-A—104 Lexington avenue, west side, 100 ft. north of East 27th street (Block No. 883, Lot No. 22), Borough of Manhattan.

502-38-A—120 East 27th street, south side, 183.4 ft. east of Fourth avenue (Block No. 882, Lot No. 76), Borough of Manhattan.

551-38-A—1220-1226 Broadway and 35 West 30th street, northeast corner (Block No. 832, Lot No. 22), Borough of Manhattan.

Variations of Labor Law

507-38-S—329 Myrtle avenue, north side, 79 ft. west of Carlton avenue (Block No. 2043, Lot No. 89), Borough of Brooklyn.

550-38-S—1220-1226 Broadway and 35 West 30th street, northeast corner (Block No. 832, Lot No. 22), Borough of Manhattan.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July* 12, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 388-37-BZ—Application of Samuel Rosenblum, applicant, on behalf of W.P.A. Realty Corporation, owner, reopened June 7, 1938, for consideration of an amendment to resolution to permit storage of more than five (5) motor vehicles —re Application, previously granted on condition, under section 7h of the building zone resolution, permitting, for a period of not more than two (2) years, in a business use district, the parking of more than five (5) motor vehicles; premises 2159 White Plains avenue, west side, 400 ft. south of Pelham parkway south (Block No. 4317, Lot No. 56), Borough of The Bronx.

CAL. NO. 266-36-BZ—Application of Lama and Proskauer, applicants, on behalf of Frederick Reiner, owner, reopened December 14, 1937, under section 7c of the building zone resolution, to permit the extension, from an unrestricted use district into a business use district, of an existing gasoline service station (previously withdrawn); premises 90-25 to 90-33 Horace Harding boulevard (Nassau boulevard), northeast corner of Queens boulevard (Block No. 1876, Lot No. 1 and part of Lot No. 21), Elmhurst, Borough of Queens.

CAL. NO. 461-37-BZ—Application, September 27, 1937, under sections 7h and 21 of the building zone resolution, of Manhattan Parking Corporation, applicant and lessee, on behalf of New York Life Insurance Company, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 247-261 Madison avenue, south side, from East 38th street to East 39th street (Block No. 868, Lot Nos. 20, 22, 23, 24, 25, 54, 55 and 56), Borough of Manhattan.

CAL. NO. 1254-23-BZ—Application of Samuel Rosenblum, applicant, on behalf of 14 Second Avenue Realty Corporation, owner, reopened January 4, 1938, under section 21 of the building zone resolution, to permit in a business use district the installation of gasoline storage equipment in a garage for more than five (5) motor vehicles, previously granted by the Board on condition that no gasoline storage equipment be installed; premises 14 Second avenue, east side, 47 ft. 10 in. south of East First street (Block No. 442, Lot No. 6), Borough of Manhattan.

CAL. NO. 633-26-BZ—Application of Miriam Young, applicant and owner, reopened April 26 1938, under section 21 of the building zone resolution, to permit in a residence use district the change of occupancy of part of an existing building from residence to business use (Beauty Parlor); (previously denied by the board re use of premises for business purposes—five (5) stores); premises 1883 Marmion avenue, west side, 100 ft. north of East 176th street (Block No. 2954, Lot No. 34), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JULY 19, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning,* July 19, 1938, at 10 o'clock, in Room 1013, Municipal Building on the following matters:

CAL. NO. 527-37-BZ—Application, November 9, 1937, under section 7h of the building zone resolution, of Abraham L. Hyman, applicant on behalf of 670 Third Avenue Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 144-150 East 43rd street, south side, 100 ft. west of

CALENDAR

Third avenue (Block No. 1297, Lot Nos. 41, 43 and 45), Borough of Manhattan.

CAL. NO. 251-35-BZ—Application of Paul Friedman, applicant, on behalf of State Engineering Corporation and Cora Lay Waldron, owners, reopened May 17, 1938, under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a business building (stores); (previously denied under sections 7c and 21 of the building zone resolution); premises 2115-2119 Caton avenue, north side, 91 ft. west of Flatbush avenue (Block No. 5063, Lot No. 69), Borough of Brooklyn.

CAL. NO. 460-37-BZ—Application, September 27, 1937, under sections 7h and 21 of the building zone resolution, of MacMurray Holding Corporation, applicant and lessee, on behalf of Lexington avenue and 59th Street Corporation, owner, to permit in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 141-155 East 58th street, north side, 95 ft. east of Lexington avenue and 731-733 Lexington avenue (Block No. 1313, Lot No. 53), Borough of Manhattan.

CAL. NO. 398-38-BZ—Application, May 20, 1938, under section 21 of the building zone resolution, of Sydne Schleman, applicant, on behalf of Beatrice Gamso, owner, to permit in a residence use and "E" area district the erection of an extension, to an existing dwelling, not conforming with the ten (10) foot set back required by the building zone resolution; premises 827 East 21st street, east side, 100 ft. north of Glenwood road (Block No. 5242, Lot No. 11), Borough of Brooklyn.

CAL. NO. 409-38-BZ—Application, May 25, 1938, under section 21 of the building zone resolution, of Joseph Rothman, applicant, on behalf of Rubel Corporation, owner, to permit in a residence use district the maintenance of a lumber yard; premises 86-70 76th street, west side, 146 ft. south of Jamaica avenue (Block No. 8904, part of Lot No. 7), Woodhaven, Borough of Queens.

CAL. NO. 628-37-BZ—Application, December 31, 1937, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Isaac T. Flatto, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 97 Dyckman street and 173 Nagle avenue, southeast corner (Block No. 2150, part of Lot No. 91), Borough of Manhattan.

CAL. NO. 469-38-BZ—Application, June 2, 1938, under section 21 of the building zone resolution, of Alfred H. Eccles, applicant, on behalf of Otto Grumbach, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 93-11 to 93-25 Rockaway boulevard and 103-28 to 103-36 94th street, northwest corner (Block No. 9114, Lot No. 19), Woodhaven, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 19, 1938, 2 P. M.

Appeal from Administrative Order

535-38-A—125 Beach 17th street, southeast corner of Seagirt avenue (Block No. 150, Lot No. 1), Far Rockaway, Borough of Queens.

Variation of Labor Law

496-38-S—250 Myrtle avenue, south side, 90 ft. east of Ashland place, 99-113 Ashland place and 45-57 Bolivar street (Block No. 2068, Lot Nos. 1, 26 and 12), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July* 19, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 344-38-BZ—Application, May 9, 1938, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of The Borden Company, owner, to permit partly in a business use district and partly in an unrestricted use district, for a temporary priod of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 942-958 DeKalb avenue, southwest corner of Lewis avenue (Block No. 1601, Lot No. 24), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JULY 20, 1938, 10 A. M.

SPECIAL MEETING

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, July* 20, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 597-37-BZ—Application, December 15, 1937, under sections 7h and 7c of the building zone resolution, of Herman Kron, applicant, on behalf of Bowery Savings Bank, owner, to permit, for a temporary period of not more than two (2) years, partly in an unrestricted use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles; also, plot is located on a street between two (2) intersect-

CALENDAR

ing streets, in which portion there exists a public school; premises 339-349 East 46th street, north side, 80 ft. west of First avenue and 332-342 East 47th street (Block No. 1339, Lot Nos. 19 to 22¼ and 30½ to 34 inclusive), Borough of Manhattan.

CAL. NO. 682-26-BZ—Application of William I. Hohauser, applicant, on behalf of William Hagedorn, owner, reopened March 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of additional gasoline dispenser equipment in a garage for more than five (5) motor vehicles previously granted by the board; the resolution stipulates that any gasoline equipment installed shall be located at the extreme southerly end of these premises; premises 2218 Jerome avenue, southeast corner of East 182nd street (Block No. 3186, Lot No. 17), Borough of The Bronx.

CAL. NO. 1087-24-BZ—Application of Power and Hopkins, applicants, on behalf of Lerson Realty Corporation, owner, reopened April 26, 1938, under section 21 of the building zone resolution, to permit in a business use district the operation of a motor vehicle repair shop in an existing garage for more than five (5) motor vehicles (previously granted by the board); premises 1680 Jerome avenue, east side, 50 ft. south of Clifford place (Block No. 2848, Lot No. 12), Borough of The Bronx.

CAL. NO. 373-38-BZ—Application, May 16, 1938, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of Cities Service Oil Company, owner, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a gasoline service station; premises 1401-1409 Far Rockaway boulevard and 1149-1161 Nameoke street, southwest corner (Block No. 38, Lot No. 40), Far Rockaway, Borough of Queens.

CAL. NO. 512-38-BZ—Application, June 17, 1938, under sections 7h and 21 of the building zone resolution, of Cross & Brown Company, applicant, on behalf of Lucy A. Duffy, owner, to permit, for a temporary period of not more than two (2) years, in a retail use district, the parking and storage of more than five (5) motor vehicles; premises 109-111 West 31st street, north side, 100 ft. west of 6th avenue (Block No. 807, Lot Nos. 34 and 35), Borough of Manhattan.

CAL. NO. 366-38-BZ—Application, May 11, 1938, under section 7a of the building zone resolution, of Edwin W. Kleinert, applicant, on behalf of John F. Trommer, Inc., owner, to permit partly in a business use district and partly in an unrestricted use district the alteration and extension of an existng brewery building; premises 1656-1672 Bushwick avenue, south side, 236 ft. east of Conway street (Block No. 3476, part of Lot No. 16), Borough of Brooklyn.

CAL. NO. 367-38-BZ—Application, May 11, 1938, under section 7a of the building zone resolution, of Edwin W. Kleinert, applicant, on behalf of John F. Trommer, Inc., owner, to permit in a business use district the alteration and conversion of occupancy of a restaurant, dance hall and keg storage room (used in conjunction with a brewery) to an office, wash house and filling room building to be used in conjunction with the existing brewery; premises 88-98 Conway street, east side, 98 ft. 8 in. south of Bushwick avenue (Block No. 3476, part of Lot No. 16), Borough of Brooklyn.

CAL. NO. 368-38-BZ—Application, May 11, 1938, under sections 7a and 21 of the building zone resolution, of Edwin W. Kleinert, applicant, on behalf of John F. Trommer, Inc., lessee and New York Rapid Transit Corporation, owner of premises 66-70 Conway street and John F. Trommer, Inc., owner of premises 72-86 Conway street, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles and a motor vehicle repair shop—to be operated in conjunction with the brewery business on the site; premises 66-86 Conway street, east side, 204 ft. south of Bushwick avenue (Block No. 3476, part of Lot Nos. 16 and 10), Borough of Brooklyn.

CAL. NO. 369-38-BZ—Application, May 11, 1938, under section 7a of the building zone resolution, of Edwin W. Kleinert, applicant, on behalf of John F. Trommer, Inc., owner, to permit in a business use district the alteration and extension of an existing brewery building; premises 1630-1654 Bushwick avenue, south side, 150 ft. east of Conway street (in center of plot); (Block No. 3476, part of Lot No. 16), Borough of Brooklyn.

CAL. NO. 370-38-BZ—Application, May 11, 1938, under section 7a of the building zone resolution, of Edwin W. Kleinert, applicant, on behalf of John F. Trommer, Inc., owner, to permit in a business use district the alteration and extension of an existing brewery building; premises 1630-1654 Bushwick avenue, south side, 100 ft. east of Conway street (in center of plot); (Block No. 3476, part of Lot No. 16), Borough of Brooklyn.

CAL. NO. 426-37-BZ—Application of George Edward Beatty, applicant, on behalf of St. Francis de Sales Church, owner, reopened June 28, 1938, under section 21 of the building zone resolution, to permit in an "F" area district the extension of an existing school building in excess of the area permitted under the building zone resolution (part of requested extension previously granted by the board); premises 129-02 to 129-16 Rockaway

CALENDAR

Beach boulevard and 201-235 Beach 129th street, northwest corner and 202-216 Beach 130th street (Block No. 727, Lot Nos. 22, 26, 28, 41 and 47), Belle Harbor, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY MORNING, JULY 6, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, June 14, 1938 and the minutes of the regular meeting of the board held on Tuesday afternoon, June 14, 1938, as printed in Bulletin No. 25, Vol. XXIII and the minutes of the regular meeting of the board held on Tuesday morning, June 21, 1938 and the minutes of the regular meeting of the board held on Tuesday afternoon, June 21, 1938, were approved as printed in Bulletin No. 26, Vol. XXIII.

BUILDING ZONE CASES

266-36-BZ.

APPLICANT—Lama and Proskauer, for Frederick Reiner, owner.

SUBJECT—Application reopened December 14, 1937 (re decision of the commissioner of buildings) under section 7c of the building zone resolution, to permit the extension from an unrestricted use district into a business use district, of an existing gasoline service station (previously withdrawn).

PREMISES AFFECTED—90-25 to 90-33 Horace Harding boulevard (Nassau boulevard), northeast corner of Queens boulevard (Block No. 1876, Lot No. 1 and part of Lot No. 21), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Fred Reiner.

For Opposition: None.

ACTION OF BOARD—Laid over to July 12, 1938, at 2 P. M. for consideration by board without further argument.

461-37-BZ.

APPLICANT—Manhattan Parking Corporation (lessee) for New York Life Insurance Company, owner.

SUBJECT—Application (re decision of borouugh superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—247-261 Madison avenue, east side, from East 38th street to East 39th street (Block No. 868, Lot Nos. 20, 22, 23, 24, 25, 54, 55 and 56), Borough of Manhattan.

APPEARANCES—

For Applicant: George D. Carrington Louis I. Reichner, W. W. Smith and J. A. Boehme.

For Opposition: John P. Fox, and Roman B. Van Houten.

ACTION OF BOARD—Laid over to July 12, 1938, at 2 P. M. for an amendment of application by applicant. No further argument.

261-38-BZ.

APPLICANT—Saypol and Kotler, for Gothard Lowenstein, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1381-1383 Flatbush avenue, northwest corner of East 26th street (Block No. 5227, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Evelyn Ostrow.

For Opposition: None.

ACTION OF BOARD—Laid over to July 8, 1938, at 10 A. M. upon request of applicant's representative.

1254-23-BZ.

APPLICANT—Samuel Rosenblum, for 14 Second Avenue Realty Corporation, owner.

SUBJECT—Application reopened January 4, 1938 (re decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the installation of gasoline storage equipment in a garage for more than five (5) motor vehicles, previously granted by the board on condition that no gasoline storage equipment be installed.

PREMISES AFFECTED—14 Second avenue, east side, 47 ft. 10 in. south of East First street (Block No. 442, Lot No. 6), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and Charles C. Peters.

For Opposition: Max Sheld.

ACTION OF BOARD—Laid over to July 12, 1938 at 2 P. M. for further consideration by the board. No further argument.

340-38-BZ.

APPLICANT—W. H. and J. F. Dusenbury, for Emil Mosbacker, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the parking and storage of more than five (5) motor vehicles and, also, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2686-2690 Jerome avenue, east side, 146.76 ft. north of East Kingsbridge road (Block No. 3317, part of Lot No. 6), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph F. Dusenbury and Arthur J. Barry.

For Opposition: John E. Donnelly, William F. Walsh, Sol A. Herzog, Charles Tilgner, Board of Education.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(340-38-BZ)

WHEREAS, W. H. and J. F. Dusenbury for Emil Mos-

backer, owner, filed May 6, 1938, an application under the building zone resolution to permit partly in a business use district and partly in a residence use district the parking and storage of more than five (5) motor vehicles and, also, the erection and maintenance of a gasoline service station; premises: 2686-2690 Jerome avenue, east side, 146.76 ft. north of East Kingsbridge road (Block No. 3317, part of Lot No. 6), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 6, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jerome avenue is in a business use district; Morris avenue is in a residence and business use district; Kingsbridge road is in a business use district and West 195th street is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated June 8, 1938, re N.B. App. No. 170-1938, reads:

"1. Gasoline selling station and parking and storage of more than five (5) motor vehicles located partly in a business and partly in a residence district is contrary to section 3 and 4 of article 2 of the Amended Zone Resolution."

and

WHEREAS, the premises (part of a larger parcel of ground) consist of a plot of ground having a frontage of 75 ft. and a depth of 160 ft. The east portion of the plot extends into the residence use district for a distance of 30 ft.; the remainder of the plot is in a business use district. It is proposed to erect upon the plot a one-story building, 48 ft. by 38 ft., irregular, in area, to be used as office, lubritorium and auto laundry; to use the Jerome avenue front of the plot as a gasoline service station and to use the remainder of the plot for parking and storage of more than 5 motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was therefore not entitled to relief.

Resolved, that the decision of the Borough Superintendent in acting on N.B. App. No. 170-1938 be and it hereby is *affirmed,* and that the application be and it hereby is *denied.*

311-38-BZ.

APPLICANT—Arnold W. Lederer, for J. K. Rasnake and J. B. Fleming, owners.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district the maintenance of two (2) ground signs.

PREMISES AFFECTED—2080-2086 Ocean avenue and 1913 Avenue P, northwest corner (Block No. 6766, Lot No. 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer and Melville B. Rapp.

For Opposition: Anne M. Cudmore and W. M. Ostheimer.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(311-38-BZ)

WHEREAS, Arnold W. Lederer, for J. K. Rasnake and J. B. Fleming, owners, filed April 28, 1938, an application under the building zone resolution to permit in a residence use district the maintenance of two (2) ground signs; premises: 2080-2086 Ocean avenue and 1913 Avenue P, northwest corner (Block No. 6766, Lot No. 53), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 6, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Ocean avenue is a residence and business use district; Avenue P is in a residence and business use district; Kings highway is in a residence and business use district and East 19th street is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated April 6, 1938, reads:

"Your request of April 4th, 1938 that permit 14370/36 be revived is hereby denied.

This permit called for the erection of two ground signs, each 17 ft. by 25 ft. and was issued on December 22, 1936, in error, as the premises are located in a residence use district, and the erection of such signs is prohibited by Art. II, Section 3 of the Building Zone Resolution. The permit was therefore revoked on November 4, 1937."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 60 ft. on Ocean avenue and 111 ft. 6 in. on Avenue P; upon which are located two ground signs, each 12 ft. by 25 ft. and 15 ft. high. It is proposed to maintain these signs; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, in the opinion of the board, no unnecessary hardship was proven and that the signs should not be located within the residential use area and that an error in the issuance of the permit does not justify a variation of the law, to permit continuation of the signs, which are objectionable and tend to deteriorate the residential area.

Resolved, that the decision of the Borough Superintendent, dated April 6, 1938, in acting on Permit No. 14370-36, be and it hereby is *affirmed,* and that the application be and it hereby is *denied.*

13-38-BZ.

APPLICANT—Henry Nordheim, for M. Boguslawsky, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a storage garage for more than five (5) motor vehicles on a plot occupied, in part, as a gasoline service station.

PREMISES AFFECTED—2481-2489 Southern boulevard and 757-765 East 189th street, northwest corner (Block No. 3116, Lot No. 37), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

For Opposition: Sol A. Herzog and Charles Tilgner, Board of Education.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(13-38-BZ)

WHEREAS, Henry Nordheim, for M. Boguslawsky, Inc., owner, filed January 11, 1938, an application under the building zone resolution to permit in a business use district the erection and maintenance of a storage garage for more

than five (5) motor vehicles on a plot occupied, in part, as a gasoline service station; premises; 2481-2489 Southern boulevard and 757-765 East 189th street, northwest corner (Block No. 3116, Lot No. 37), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 6, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Southern boulevard is in a residence and business use district; East 189th street is in a business use district; Crotona avenue is in a residence and business use district and East Fordham road is in a business and residence use district; and

WHEREAS, the decision of the Commissioner of Buildings, dated December 21, 1937, re Alt. Applic. No. 957-1937, reads:

"1. Proposed extension of existing gasoline service station to be used as a garage for more than five motor vehicles located in a business use district is contrary to provisions of section 4 of article 2 of the Amended Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 105 ft. on Southern boulevard and 92 ft. on East 189th street. The Southern boulevard front of the plot is occupied as a gasoline service station. Proposed to erect upon the remainder of the plot a garage for more than 5 motor vehicles, having a frontage of 52 ft. on East 189th street, 104 ft. along the west lot line and a distance of 35 ft. along the north lot line; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the Building Zone Resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the Commissioner of Buildings in acting on Alt. Applic. No. 957-1937, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

360-38-BZ.

APPLICANT—Matthew W. Del Gaudio, for 356 West 44th Street Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 7c of the building zone resolution, to permit in a residence use and "B" area district the alteration and extension of a building and the extension of an existing business use; also the omission of part of the required rear yard.

PREMISES AFFECTED—356 West 44th street, south side, 100 ft. east of Ninth avenue (Block No. 1034, Lot No. 60), Borough of Manhattan.

APPEARANCES—

For Applicant: Matthew W. Del Gaudio and Samuel S. Burman.

For Opposition: A. Taggard, Joseph Krefetz and Harold Schwarzberg.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(360-38-BZ)

WHEREAS, Matthew W. DelGaudio, for 356 West 44th Street Corporation, owner, filed May 13, 1938, an application under the building zone resolution to permit in a residence use and "B" area district the alteration and extension of a building and the extension of an existing business use; also the omission of part of the required rear yard; premises: 356 West 44th street, south side, 100 ft. east of Ninth avenue (Block No. 1034, Lot No. 60), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 6, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the building zone resolution show that West 44th street is in a residence, retail use and "B" area district; West 43d street is in a retail use and "B" area district and Ninth avenue is in a retail use and "B" area district; and

WHEREAS, the decision of the Board of Superintendent of Buildings, dated May 4th, 1938, on Alt. Applic. No. 863-1938, reads:

"8. The extension of a business in a residence district is unlawful.

To change the residence use of 2nd floor to business use is contrary to Art. II, Sec. 6-BZ. Resolution. Reconsideration denied.

10. Provide a rear yard, Art. IV, Sec. 17-BZ. Resolution."

and

WHEREAS, the existing building is of non-fireproof construction, five stories in height, with a frontage of 25 ft. and a depth of 66 ft.; to be occupied: 1st story—store; 2nd story—offices; 3rd, 4th and 5th stories—apartments; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to hearing; and

WHEREAS, the board deemed that in view of the existing business use (in the building) and the surrounding business use in the residential area and the adjoining business area, that a variation of the use and area requirements should be granted and that relief could be granted in harmony with the intent of the law.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7c, to permit the proposed extension to the rear and extension of business to the 2nd story, as indicated in this appeal, and under section 21, to permit the construction of the building over a portion of the rear yard, as indicated on plans filed with this appeal, *on condition* that the rear extension and extension over the rear yard shall not exceed the height of 18 ft. above grade, at any point, including the parapet; that in all other respects all laws, rules and regulations applicable to this building and occupancy shall be complied with; and that all permits shall be obtained and all work completed within one year from the date of this action.

532-37-BZ.

APPLICANT—Herman B. Josephson and Isaac Josephson (lessees), for Ronash Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit, for a temporary period of not more than two (2) years, in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—136-56 to 136-62 39th avenue (Locust street), south side, 378.30 ft. west of Union street (Block No. 4980, Lot No. 26), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Robert F. Goldman.

For Opposition: W. C. Weber.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(532-37-BZ)

WHEREAS, Herman R. Josephson and Isaac Josephson (lessees), for Ronash Realty Corporation, owner, filed November 10, 1937, an application under the building zone resolution to permit for a temporary period of not more than two (2) years in a business use district, the parking and storage of more than five (5) motor vehicles; premises 136-56 to 136-62 39th avenue (Locust street) south side, 378.30 ft. west of Union street (Block No. 4980, Lot No. 26), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 6, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 39th avenue (Locust street), Roosevelt avenue, Union street and Main street are all in business use districts; and

WHEREAS, the decision of the Commissioner of Buildings (No. 2244/37), dated November 4, 1937, reads:

> "Be advised that application made by you to this department for issuance of a certificate of occupancy to cover use of premises situated on the south side of Locust street, 378.30 ft. west of Union street (39th avenue), Borough of Queens, for parking and storage space purposes, for more than five cars, is hereby *denied,* as this location is situated in a business district and such use would be contrary to subdivision 15, section 4 of the Building Zone Resolution of the City of New York."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. on Roosevelt avenue, 75 ft. on 39th avenue and a depth of 176 ft.; there is a one story brick store structure upon the Roosevelt avenue front of the plot; it is proposed to use the 39th avenue front of the plot for a temporary period of not more than 2 years for the parking and storage of more than 5 motor vehicles; and

WHEREAS, the board deemed that this was a proper case to exercise its discretion under section 7, subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7h for a period of two years from the date of this action, to permit that portion of lot 26, now unbuilt upon, with a frontage of 75 ft. on 39th avenue (Locust street) and a depth of 85 ft., to be used for the *transient parking* of more than five motor vehicles, *on condition* that only automobiles of the pleasure car type and light commercial vehicles belonging to the customers of the stores opening upon the rear of this plot and for the purpose of delivering or receiving merchandise sold therein, shall be parked; that the plot shall be leveled substantially to the grade of 39th avenue (Locust street) and shall be surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting and graded so as to provide surface drainage, the level at no point to be lower than the highest point of the 39th avenue (Locust street) sidewalk adjoining; that on the interior lot lines to the east and west, where walls of adjacent buildings do not occur, there shall be erected a substantial woven wire fence, and that a similar fence shall be erected along the building line of 39th avenue (Locust street), except for one entrance, not exceeding 20 ft. in width, this fence to be not less than 6 ft. in height; that at this entrance there shall be a substantial gate, which shall remain closed and locked between the hours of 8 P.M. and 7 A.M.; that during the term of this variance, this plot shall be used for no other use; that no lights for general illumination shall be installed and no signs shall be erected, except that at the entrance there may be a sign advertising the transient parking use, provided such sign is not over 15 sq. ft. in area; that during the term of this variance, no building shall be erected thereon, except there may be erected a building not over 150 sq. ft. in area and not over one story in height, to be used as office and shelter for the attendant; that this building shall be located toward the center of the plot adjacent to the building line and to the entrance to the parking lot, which entrance shall be approximately at the center thereof; that suitable lanes shall be maintained at all times for easy access and egress; that such portable fire-fighting appliances shall be installed as the Commissioner shall direct; that all permits shall be obtained and all work completed within three months from the date of this action.

Adjourned, 1:20 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY AFTERNOON, JULY 6, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

574-28-BZ.

APPLICANT—George A. Boehm, for Estate of Max Eisman, owner.

SUBJECT—Application for consideration—reopening and restoration to the calendar (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop.

PREMISES AFFECTED—1338 Inwood avenue, east side, 469.99 ft. south of West 170th street and 1339 Jerome avenue, west side, 472.96 ft. south of West 170th street (Block No. 2856, Lot Nos. 9, 10, 49 and 50), Borough of The Bronx.

APPEARANCES—

For Applicant: George A. Boehm.

ACTION OF BOARD—Application reopened subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

394-37-BZ.

APPLICANT—Russell G. Cory, for Bronxville Realty Corporation, Michael J. Mulqueen and Benjamin Hughes, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under secton 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a factory building.

MINUTES

PREMISES AFFECTED—916-924 East 229th street, south side, 125 ft. east of Bronxwood avenue (Block No. 4864, Lot Nos. 60, 61 and 62), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

17-29-BZ.

APPLICANT—Clara K. Eberhart, owner.

SUBJECT—Application reopened November 23, 1937 under new proposal (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a gasoline service station and also, the storage and parking of more than five (5) motor vehicles.

PREMISES AFFECTED—1886-1888 Boston road, south side, 49.27 ft. east of Bryant avenue and 1901-1907 Longfellow avenue (Block No. 3004, Lot Nos. 28, 40 and 42), Borough of The Bronx.

APPEARANCES—

For Applicant: Walter Eberhart and John E. Stone.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(17-29-BZ)

WHEREAS, Cohen & Seigel, for Clara K. Eberhart, owner, filed January 14, 1929, an application with the Board of Standards and Appeals, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for more than five motor vehicles; premises 1886-1888 Boston road, south side, 49.27 ft. east of Bryant avenue and 1901-1907 Longfellow avenue (Block No. 3004, Lot Nos. 28, 40 and 42), Borough of The Bronx; and

WHEREAS, this application was denied by the board May 21, 1929; and

WHEREAS, the owner, under date of November 15, 1937, requested a reopening of this application for a new proposal, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a gasoline service station, and also, the storage and parking of more than five (5) motor vehicles; and

WHEREAS, this application was reopened by vote of the board November 23, 1937; and

WHEREAS, public hearings were held on this application by the Board of Standards and Appeals, at its regular meetings, March 1, 1938 and July 6, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Boston road is in a business use district; Bryant avenue is in a residence and business use district; Longfellow avenue is in a residence and business use district and Rodman place is in an unrestricted, residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated November 10, 1937, re N.B. Applic. No. 491-1937, reads:

"Proposed gasoline service station and parking and storage of more than five cars in a partly residence district and partly business district is contrary to provisions of article II of the Amended Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 57.7 ft. on Boston road, 95.7 ft. on Longfellow avenue and a distance of 125.6 ft. along the east lot line. The northerly portion of the plot is located in a business use district and the southerly part is located in a residence use district. It is proposed to occupy the Boston road front of the plot as a gasoline service station and the remainder of the plot for the storage and parking of more than 5 motor vehicles; and

WHEREAS, these premises were the subject of an inspection by a committee of the board; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21 of the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution and that the application be and it hereby is *granted* under sections 7H and 21, to permit that portion of the plot under appeal located in the business use district to be occupied for the storage and parking of more than five motor vehicles and for a gasoline station, *on condition* that the portion of the plot so used shall be leveled substantially to the grade of Boston road; that the accessory building shall not exceed one story in height and shall be constructed of fireproof materials, except that the window frames and sashes, door frames and doors, roof beams and roof boarding may be of wood and also the half-timber ornamentation, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals and the flat roofs are surfaced with non-inflammable materials and with slate as to the pitched roofs; that the walls of the building may be finished in cement stucco; that the accessory building shall consist of a section for office and for greasing; that there shall be no excavation under the buildings, except the pit for the greasing rack; that unless the greasing equipment is of the hydraulic lift type, no closure doors on the greasing compartment shall be constructed, unless the pits are ventilated to the outer air by means of ducts, the ventilation actuated by spark-proof motor driven fan; that there shall be erected on a portion of the interior lot line to the rear of the accessory building, except for the lot line to the west, a substantial wooden fence not less than six feet in height, erected upon cement coping foundation above a cement cap on a stone wall base; that the portion to the rear of the accessory buildings to be used for parking and storage of more than five motor vehicles, shall be surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting; that cars parked or stored on the premises shall be of the pleasure car type only; that the portion between the accessory buildings and Boston road shall be paved with cement or Colprovia or equivalent material; that gasoline pumps erected shall not be nearer than 15 ft. to the street line of Boston road; that entrances to the premises shall not exceed two, each twenty (20) ft. in width; that no portable gasoline tanks shall be maintained or operated on the premises; that no automobile repairing shall be carried on; that all permits required shall be obtained and all work involved shall be completed within one year from the date of this action; that the plans herein submitted marked "Received June 17, 1938" are hereby approved as substantially meeting the requirements of this resolution as to the general layout and design.

895-27-BZ.

APPLICANT—Sol Piratensky, for Macombs Realty Corporation, owner.

SUBJECT—Application for consideration—reopening under new proposal—(re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of part of the first story of an existing multiple dwelling from residence use to business use (stores).

PREMISES AFFECTED—65 Featherbed lane, northwest corner of Macombs road (Block No. 2876, Lot No. 31), Borough of The Bronx.

APPEARANCES—

For Applicant: Arthur M. Stern and Sol Piratensky.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(895-27-BZ)

WHEREAS, this application, under section 21 of the building zone resolution, to permit in a residence use district the alteration and conversion of occupancy of the first story of an existing apartment house, from residense use to business use (stores), affecting premises 65 Featherbed lane, northwest corner of Macombs road (Block No. 2876, Lot No. 31), Borough of The Bronx, was denied by the board April 3, 1928, application reopened May 14, 1929 under the provisions of section 7c, 7g and 21 of the building zone resolution, and withdrawn July 2, 1929, request to again reopen under the same sections, denied April 28, 1931, and a further request to reopen denied December 21, 1937; and

WHEREAS, under date of June 14, 1938 the owner, through his attorney, Sol. Piratensky, requested a reopening of the application for stores in the residence use district; and

WHEREAS, the board deemed that there were no new substantial facts presented to justify a rehearing of the application previously denied.

Resolved, that the request to reopen be and it hereby is *denied.*

215-32-BZ.

APPLICANT—Louis De Riviere (lessee), for Betty Berk, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a residence use district the maintenance of an open air parking space for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—670-674 Halsey street, south side, 125 ft. west of Patchen avenue (Block No. 1667, Lot No. 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: Mrs. George F. Helfert.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(215-32-BZ)

WHEREAS, this application affecting premises 670-674 Halsey street, south side, 125 ft. west of Patchen avenue (Block No. 1667, Lot No. 35), Borough of Brooklyn, was granted by the board, July 22, 1932, on certain conditions, resolution amended July 7, 1936 and applicant requests an extension of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted on July 22, 1932, as amended July 7, 1936, only so far as it has reference to extension of permit, so that as amended the resolution shall read:

"*granted* to permit the use of these premises as open-air parking space for the storage and parking of automobiles *for a period of two* (2) years under Section 21 from the date of this amended action, *on condition* that other than as amended herein, the resolution adopted by the board on July 22, 1932, shall be complied with in all respects; and, *further on condition* that no cars shall be parked or stored that are not capable of being operated."

717-29-BZ.

APPLICANT—Adam Metz, owner.

SUBJECT—Application for consideration—reopening and rescindment—re application (decision of the superintendent of buildings) under section 7e of the building zone resolution, permitting in a business use district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—84-94 129th street and 127-15 Metropolitan avenue, northwest corner (Block No. 156, Lot No. 52), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Frank C. Keller.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Application reopened and previous resolutions of the board, rescinded.

THE VOTE TO REOPEN AND RESCIND PREVIOUS RESOLUTIONS OF THE BOARD—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(717-29-BZ)

WHEREAS, this application affecting premises 84-94 129th street and 127-15 Metropolitan avenue, northwest corner (Block No. 156, Lot No. 52), Richmond Hill, Borough of Queens, to permit in a business use district the erection and maintenance of a garage for the storage of more than five motor vehicles, was granted by the board March 18, 1930, on certain condition and time to obtain permit and complete work extended from time to time, the last extension being March 9, 1937; and

WHEREAS, it appears that there is no longer an intention to occupy the premises as a garage but as a confrming use in a business use district but to occupy the premises as a roller skating rink, as specifically indicated in Calendar No. 529-38-A.

Resolved, that the resolution adopted by the board on March 18, 1930, as amended March 9, 1937, be and it hereby is *rescinded.*

244-36-BZ.

APPLICANT—Samuels and Samuels, for Bennet-Scheiber, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Northeast corner of Liberty avenue and 104th avenue and northwest corner of Liberty avenue and 184th street (Block No. 1404 part of Lot Nos. 141 and 415), Jamaica, Borough of Queens.

MINUTES

APPEARANCES—
For Applicant: Bernard Sperber.
ACTION OF BOARD—Application reopened and time extended.
THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(244-36-BZ)

WHEREAS, this application affecting premises northeast corner of Liberty avenue and 104th avenue and northwest corner of Liberty avenue and 184th street (Block No. 1404, part of Lot Nos. 141 and 415), Jamaica, Borough of Queens, was granted by the board January 19, 1937, for a period of ten years, on certain condition, resolution amended July 7, 1937 and applicant requests an extension of time to obtain permits and complete the work.

Resolved, that the resolution adopted by the board on January 19, 1937, as amended by resolution adopted by the board on July 7, 1937, be and it hereby is *amended,* only so far as it has reference to obtaining permits and completion of work, so that as amended this portion of the resolution shall read:

"all permits shall be obtained and all work completed within one year from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE ORDERS

535-38-A.
APPLICANT—Brooklyn Trust Co., as Trustee.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—Beach 17th street, southeast corner of Seagirt avenue (Block No. 149, Lot No. 1 and Block No. 150, Lot No. 1), Far Rockaway, Borough of Queens.
APPEARANCES—
For Applicant: George O. Lehmann.
For Administration: David Stone, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to July 19, 1938, at 2 P. M. pending inspection by the board.

383-38-A.
APPLICANT—Charles Wenderoth, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—41-79 Gleane street, east side, 188 ft. south of Elmhurst avenue (Block No. 1555, Lot No. 46), Elmhurst, Borough of Queens.
APPEARANCES—
For Applicant: Charles Wenderoth.
ACTION OF BOARD—Appeal withdrawn to comply.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

553-38-A.
APPLICANT—Societa Cesare Battista di Mutuo Soccorso, owner.
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—Barge, 1,000 ft. off shore, foot of Ferris lane, Pleasant Bay Park, Unionport, Borough of The Bronx.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appeal dismissed for lack of prosecution.
THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(553-38-A)

WHEREAS, the Societa Cesare Battista di Mutuo Soccorso, owner, filed on June 29, 1938, an appeal with the Board of Standards and Appeals relative to a decision of the Fire Commissioner, for the display of fireworks from a barge 1,000 ft. off shore, at Pleasant Bay Park, foot of Ferris lane, Unionport, Borough of The Bronx; and

WHEREAS, there was no representative of the applicant present at any time during the hearing, although duly notified to do so.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

27-38-A.
APPLICANT—Croker Fire Prevention Corporation, for Maryland Baking Company, Inc., owner.
SUBJECT—Appeal from orders and a decision of the Acting Borough Superintendent of Buildings.
PREMISES AFFECTED—346 Carroll street, south side, 72 ft. 4 in. west of Bond street and 37-53 First street (Block No. 451, Lot No. 25), Borough of Brooklyn.
APPEARANCES—
For Applicant—Sidney L. Strauss.
For Administration: Inspector Maher, Fire Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(27-38-A)

WHEREAS, Croker Fire Prevention Engineering Corporation, for Maryland Baking Company, Inc., owner filed January 18, 1938, an appeal from orders and decision of the Commissioner of Buildings and a decision of the Acting Borough Superintendent, Department of Housing and Buildings, affecting premises 346 Carroll street, south side, 72 ft. 4 in. west of Bond street and 37-53 First street (Block No. 451, Lot No. 25), Borough of Brooklyn; and

WHEREAS, the order of the Commissioner of Buildings, No. 15909-LF, dated April 14, 1937, reads:

"1. Arrange standpipe system to conform with the requirements of the Board of Standards and Appeals for existing installations.

Among the defects noted are the following:

1. No gravity tank provided.
2. Standpipe risers outside of stair enclosures not protected against fire damage.
3. Outside riser for monitor nozzle on roof, east side building not protected against freezing.
4. Monitor nozzle connection on roof connecting with riser in stairway at northwest corner of building not protected against freezing."

and

WHEREAS, the order of the Commissioner of Buildings, No. 15912-LF dated April 14, 1937, reads:

"1. Provide approved fireproof windows or iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft.

from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at west side of building, or other approved protection."

and

WHEREAS, the decision of the Commissioner of Buildings, dated August 31, 1937, restated these orders; and

WHEREAS, the decision of the Acting Borough Superintendent, Department of Housing and Buildings, dated January 13, 1938, reads:

"In reply to your letter of January 8th, 1938, advising that you have been retained by the owners to appeal from requirements of Orders Nos. 15909-L.F. and 15-912-L.F. and that you are unable to do so due to the fact that the Board of Standards and Appeals will not accept an appeal from the reason that the time limit, thirty (30) days, had elapsed, and request dismissal and re-issuance of the above order.

You are advised that the orders cannot be dismissed or reissued. Therefore, your request is denied."

and

WHEREAS, the building is 4 stories and basement, (59 ft. 4 in.) in height, 180 ft. by 172 ft. in area, of non-fireproof construction, erected in 1880, located in an unrestricted used district and occupied: Cellar, storage—1 person; 1st floor—office, shipping room, storage, 4 persons; 2nd floor, manufacturing paper boxes—75 persons; 3rd floor, manufacturing of metal toys,—100 persons; 4th floor, manufacturing ice cream cones, 12 persons; for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends, as to Order No. 15909-LF, that there exists at the present time a dry standpipe system consisting of two 6 inch risers located in the fireproof stair enclosure, and two 2 inch risers located in the open floor as indicated on the plans filed with this appeal; that the 6 inch risers are fed by an electric pump, with a capacity of 2,000 gallons per minute; and this pump also feeds a monitor nozzle in the east portion of the building, and there exists a monitor nozzle in the west portion of the building, which is a continuation of the existing 6 inch riser in the westerly stairway; that the system is provided with a siamese connection on the front of the building; that the entire building is protected by a sprinkler system which is fed by a 6 inch and a 10 inch City main and has two siamese connections at each street front; the applicant further contends as to Order No. 15912-LF, that on the west side of the building, there exist two, 2 story brick buildings, one now vacant and the other occupied as a dwelling; that there is also a 3 story brick dwelling facing First street; that all exposed windows are protected with sprinkler heads and approximately 70 per cent of these openings have heads almost directly in the center of the openings and that no head is more than approximately 5 feet from the center of any opening; and

WHEREAS, the board deemed that the appeal should be granted on certain conditions.

Resolved, that the decision and orders of the Commissioner of Buildings be and they hereby are *modified,* and the appeal be and it hereby is *granted* as to Order No. 15909-LF, Items 1 to 4, *on condition* that the existing sprinkler system shall be drained and flushed and the siemese connection repaired or replaced with approved connection and the system maintained at all times to the satisfaction of the Fire Commissioner; that the sub-standard standpipe risers, except the two risers in the enclosed stairways, shall be removed and these two risers shall be cross-connected and checked against the City main connection; that in each stair enclosure, an approved hose station with sufficient hose to cover all parts of the floor, shall be maintained; that such hose may be 1½ inches in diameter with not more than ¾ inch nozzle, provided each outlet is also equipped with an approved 2½ inch coupling; that any portion of the standpipe system exposed to freezing, shall be protected in accordance with the rules of the board; that the standpipe system shall be drained and tested in accordance with the rules of the board; and that the standpipe pump shall be removed or by-passed; *granted* as to Order No. 15912-LF, waiving the requirements for fireproof windows or iron shutters, on condition the requirements herein as to sprinkler and standpipe system are complied with and that there is a sprinkler head not more than 5 ft. away from each window opening overlooking the adjoining occupancies to the west; that the building shall not be increased in height or area; and that in all other respects all laws, rules and regulations applicable to this building and occupancy shall be complied with.

483-38-A.

APPLICANT—G. W. Haight, for The Newsreel Theatres, Inc., lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2081-2091 Broadway, northwest corner of West 72nd street (Block No. 1164, Lot No. 26), Borough of Manhattan.

APPEARANCES—

For Applicant: G. W. Haight and F. C. Word.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(483-38-A)

WHEREAS, G. W. Haight for The Newsreel Theatres, Inc., owner, filed on June 9, 1938, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises 2081-2091 Broadway, northwest corner of West 72nd street (Block No. 1164, Lot No. 26), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent, dated June 8, 1938, reads:

"Your electric Sign Application No. 1103-1938 to erect three signs on the Marquise at the above premises has been disapproved for the reason that section B 26.7.0 g of the Administrative Code prohibits electric signs on marquises, except on the face of the marquise and not to exceed 2 ft. and not to extend above or below the marquise."

and

WHEREAS, the building is 2 stories, 31 ft. in height, 106 ft. 10 in. by 173 ft. 5 in. in area, of fireproof construction, equipped with a standpipe system, located in a business use, "B" area district and proposed to be occupied: first floor—motion picture theatre and stores; 2nd floor—offices, with a marquise on the front; and

WHEREAS, it is proposed to erect a sign on three sides of the marquise, said sign to be 6 ft. 8 in. in height, and 22 ft. in length on the front and 22 ft. in length on each of the sides of marquise, said sign to be 11 ft. 4 in. above sidewalk level; and

WHEREAS, the applicant contends that the marquise as approved is 30 in. in height; that in view of the 31 ft. height of the building, that the height of the proposed sign is not excessive and will not constitute a detriment to the safety of the public; that the difference between the 30 ins. which is the height of the marquise and the proposed height of the sign, 80 ins., is so small as to warrant the board in exercising its discretion as to permitting the variance; that no conceivable injury could result to the public or to any person whatsoever from an increase of 50 ins. in the sign; that great injury will result to the lessee, if the height of the sign is restricted to 30 ins. as a sign this size will prevent the display of the name of the theatre and the subject matter of the program and would in fact render the sign useless; and

WHEREAS, the board deemed that some modification permitting a height greater than two feet, might be granted.

Resolved, that the decision of the Borough Superintendent, dated June 8, 1938, in acting on Sign Application No. 1103-1938, be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that the height of the sign shall at no point be more than 4 ft. and that in all other respects the requirements of the Administrative Code shall be complied with.

334-38-A.

APPLICANT—Morris Katzke, lessee.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—4908-4910 Farragut road, southeast corner of East 49th street (Block No. 4786, Lot Nos. 78 and 79), Borough of Brooklyn.
APPEARANCES—
For Applicant: Philip Katzke and Morris Katzke.
For Administration: Inspector Meyer, Fire Dept.
ACTION OF THE BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(334-38-A)

WHEREAS, Morris Katzke, lessee, filed on May 5, 1938, an appeal from an order of the Fire Commissioner, affecting premises 4908-4910 Farragut road, southeast corner of East 49th street (Block No. 4786, Lot Nos. 78 and 79), Borough of Brooklyn; and

WHEREAS, the order of the Fire Commissioner No. 74937-LC, dated April 8, 1938, reads:

"1. Discontinue the maintenance of a bonfire for burning rubbish and waste wood at premises 4908-4910 Farragut road, Brooklyn, for the reason that the Board of Health states that a bonfire at this location creates a nuisance from smoke odors due to the fact that there are a number of one family dwellings in the immediate vicinity thereof."

and

WHEREAS, the premises consist of a plot 47 ft. by 100 ft. in area, located in an unrestricted use district on which is located a one-story frame building 10 ft. in height, 15 ft. by 20 ft. in area; erected December 1, 1933 and occupied for the storage of automobile parts. The balance of the plot is used for the wrecking of motor vehicles; and

WHEREAS, the applicant contends that the bonfires which are conducted three times a week for a period of twenty minutes each, are for the purpose of burning wood from wrecked automobile bodies; that precautions are taken to prevent smoke blowing in the direction of any houses in the vicinity; that the nearest home to the site is 350 ft.; that the prevention of the burning of this wood would curtail the efficiency of the operation of the applicant's premises.

Resolved, that the order of the Fire Commissioner No. 74937-LC be and it hereby is *modified,* to permit the maintenance of a bonfire for burning waste wood from the wrecking of automobiles, *on condition* that the fire shall not occupy an area of more than 50 sq. ft. and shall be restricted to the southerly portion of the lot, removed at least 150 ft. from Farragut road; that such safeguards shall be maintained, as the Fire Commissioner shall direct; and that no bonfire shall be made except between the hours of 9:00 A.M. and 4:00 P.M., and prohibiting bonfires on Sundays and holidays.

434-38-A.

APPLICANT—Frank Straub, for William Gold, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
PREMISES AFFECTED — 1193-1195 Atlantic avenue, north side, 354 ft. west of Nostrand avenue and 34-36 Herkimer place (Block No. 1866, Lot No. 16), Borough of Brooklyn.
APPEARANCES—
For Applicant: Frank Straub and William Gold.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(434-38-A)

WHEREAS, Frank Straub for William Gold, owner, filed June 1, 1938, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 1193-1195 Atlantic avenue, north side, 354 ft. west of Nostrand avenue and 34-36 Herkimer place (Block No. 1866, Lot No. 16), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, dated May 3, 1938, on Applic. No. 5567-38, reads:

"2. No portion of a non-fireproof building over one story in height may be used for garage purposes. See sections 2.1.3.5 and 4.2.1."

and

WHEREAS, the building is four stories, (45 ft.) in height, 50 ft. by 99 ft. 1 in. in area, of non-fireproof construction, located in an unrestricted use district, erected prior to 1895 and occupied: Cellar—storage of household goods, no persons; 1st floor—office and garage—3 persons; 2nd, 3rd and 4th floors—storage of household goods, no persons; and

WHEREAS, the applicant contends that the proposed work or alteration consists of the erection on the first story of a room 22 ft. by 55 ft. in area, to be used by the owner of building for the storage of his own three trucks or moving vans; that this room will be enclosed by fire-retarded partitions, having fireproof windows and doors at all interior openings; that the ceiling of entire cellar and of entire storage space in first story will be fire-retarded; that floor in storage space will be of concrete.

Resolved, that the decision of the Borough Superintendent, in acting on App. No. 5567-38, be and it hereby is *modified,* and the appeal be and it hereby is *granted* to permit the storage of not over three (3) motor vehicles on the 1st story, as proposed, *on condition* that this portion of the building shall be protected throughout with fire-retarded material and that the floor shall be protected with 5 inches of concrete; that the motor vehicles or moving vans shall be used in conjunction with the operation of the entire building as a storage warehouse; that the building shall not be increased in height or area; that such portable, fire-fighting appliances as the Fire Commissioner shall direct, shall be installed, that this modification shall continue only so long as the building is used throughout for the proposed use; that no gasoline or oil shall be stored on the premises, except in the tanks of motor vehicles; and that in all other respects the building shall comply with all laws, rules and regulations applicable thereto.

529-38-A.

APPLICANT—Frank C. Keller, for Adam Metz, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED — 127-25 Metropolitan avenue and 85-02 129th street, northwest corner (Block No. 9249, Lot No. 52), Richmond Hill, Borough of Queens.
APPEARANCES—
For Applicant: Frank C. Keller.
For Administration: David Stone, Department of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.

MINUTES

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(529-38-A)

WHEREAS, Frank C. Keller, for Adam Metz, owner, filed June 22, 1938, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises 127-25 Metropolitan avenue and 85-02 129th street, northwest corner (Block No. 9249, Lot No. 52), Richmond Hill, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, dated June 10, 1938, on N.B. Permit No. 7549-1929, reads:

"7. Because of proposed use, building is classed as a public building. Area exceeds 5,000 square feet. Sec. 3.1.1 and 4.2.1 Bldg. Code."

and

WHEREAS, the building is one story (14 ft.) in height, 100 ft. by 240 ft. 6 in. in area, of non-fireproof construction, located in a business use district, erected in 1929 and occupied as a roller skating rink—5 persons; and

WHEREAS, the applicant contends that the building was built as a sales showroom and public garage; that the use asked for in this appeal is by far a less hazard than the use it is now entitled to; that there will be but a very small portion used for anything other than skating; that this portion will be for the storage of rented skates by the patrons; that this space will be enclosed with fireproof material; that the building being entirely open without any dividing partitions and since ample exits are provided and nothing in or about the premises will be of a combustible nature, that the applicant be allowed to omit the sprinkler system; that if a sprinkler system were used it would have no value whatever, as there will be nothing within the main portion that could burn.

Resolved, that the decision of the Borough Superintendent, in acting on N.B. Permit No. 7549-29, dated June 10, 1938, be and it hereby is *modified,* and the appeal be and it hereby *is granted,* to permit the use of the existing building as proposed for roller-skating rink, *on condition* that the building shall not be increased in height or area; that there shall be provided adequate exits, opening directly to 129th street, in addition to the existing exits opening to Metropolitan avenue; that any heating system in the building shall be separated from balance of building with walls of fireproof materials; and that this modification shall continue only so long as the building is used as herein proposed; that such portable fire-fighting appliances shall be installed as the Commissioner shall direct.

530-38-A.

APPLICANT—Lenox Hill Hospital, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—111 East 76th street, 112 East 77th street, 841 Park avenue and 1086 Lexington avenue (Block No. 1411, Lot No. 1), Borough of Manhattan.

APPEARANCES—
For Applicant: John H. Hayes.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(530-38-A)

WHEREAS, the Lenox Hill Hospital, owner, filed on June 22, 1938, an appeal from an order of the Fire Commissioner, affecting premises 841 Park avenue, 111 East 76th street, 112 East 77th street and 1086 Lexington avenue (Block No. 1411, Lot No. 1), Borough of Manhattan; and

WHEREAS, the order of the Fire Commissioner, dated June 2, 1938, No. 786-LF, reads:

"1. Provide telegraphic communication with Fire Department Headquarters, as provided for by the Administrative Code. Section 487 e-2.0 b."

and

WHEREAS, the premises consist of a group of fireproof and non-fireproof buildings, equipped throughout with a standpipe system and provided with a sprinkler system in parts of the sub-basement. The buildings were erected between 1868 and 1936 and are located in residence and business use districts and occupied throughout as a hospital and for the accommodation of nurses and other employes; and

WHEREAS, the applicant contends that the buildings are equipped with an interior fire alarm system; that current is supplied by the hospital's generators and supplemented by the Edison Co.'s power; that a fire brigade of employes has been organized and fire drills are held at least once a month; that there are 19 trunk telephone lines and ten private telephones in the buildings; that not less than two telephone operators are employed during the day and one at night; that City Fire Alarm Box No. 1074 is located at the southeast corner of Seventy-seventh street and Lexington avenue, about 60 feet distant from the building and Box No. 1065 is located on the southeast corner of 76th street and Park avenue, about 45 feet from the building; that watchmen's service is maintained from 7 P.M. to 7 A.M.; that a fire headquarter's connection is not required since the buildings are within 200 ft. of fire alarm boxes.

Resolved, that the order of the Fire Commissioner No. 786-LF be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that one (1) box for telegraphic communication to Fire Headquarters shall be provided in the building at a central point as determined by the Fire Commissioner.

536-38-A.

APPLICANT—Biflex Piston, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—27-01 Bridge Plaza north, north side, block front 27th street to 28th street and 41-35 27th street (Block No. 416, Lot No. 10), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: P. H. Conklin.
For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(536-38-A)

WHEREAS, Biflex Piston, Inc., lessee, filed on June 23, 1938, an appeal from an order of the Fire Commissioner, affecting premises 27-01 Bridge Plaza North, north side, between 27th and 28th streets and 41-35 27th street (Block No. 416, Lot No. 10), Long Island City, Borough of Queens; and

WHEREAS, the order of the Fire Commissioner, No. 75523-LC, issued May 24, 1938, reads:

"1. Discontinue the practice of storing one drum of gasoline in pent house on roof of factory premises, and provide a safety can of not more than 5 gallon capacity for the storage and use of gasoline.

Section C-19-51-B-5, of the Administrative Code, states that no permit shall be issued for the storage

of volatile inflammable oil (gasoline) upon any floor above the ground floor of a building except in an approved safety can in quantities of 5 gallons or less."

and

WHEREAS, the building is six stories and basement (96 ft.), in height, 201 ft. by 350 ft. in area, of fireproof construction, equipped with standpipe and sprinkler systems, located in an unrestricted use and "B" area district; erected in 1913 and occupied: Cellar—Engineroom, 5 persons; 1st floor, garage, 40 persons; 2nd and 3rd floors. manufacturing of Aircraft, 400 persons; 4th floor, dead storage and woodworking, 30 persons; 5th floor, factory—100 persons; 6th floor, automobile repairs, 60 persons; penthouse—machine shop, two persons; and

WHEREAS, the applicant contends that the penthouse is used for the purpose of testing pistons and the correction of faults in said pistons; that in connection with the tests, a motor is operated between 2,500 and 3,500 revolutions per minute and uses approximately five gallons of gasoline every half hour; that compliance with the order would necessitate carrying gasoline from the basement to the penthouse throughout the day; that it is requested that one 50 gallon drum of gasoline be permitted in the penthouse in connection with the tests conducted therein.

Resolved, that the order of the Fire Commissioner No. 75523-LC be and it hereby is *modified,* and the appeal be and it hereby is *granted, permitting* the storage of not over fifty (50) gallons of gasoline in the pent-house of this building as proposed *on condition* that such gasoline shall be stored in an approved portable tank; filled at curb; that the gasoline from this portable tank may be transferred to a tank of not over twenty (20) gallons in capacity and fed from such tank to the testing engine by means of copper tubing; that such additional fire-fighting appliances shall be installed as the Fire Commissioner shall direct; and that the person in charge of this gasoline supply shall hold a Certificate of Fitness issued by the Fire Commissioner; and that this modification shall continue only so long as pent-house is used as herein proposed and the building in all other respects complies with the legal requirements and the standpipe and sprinkler systems are maintained to the satisfaction of the Fire Commissioner.

538-38-A.

APPLICANT—Seelig and Finkelstein, for 35th Avenue Building Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—North side of 43rd avenue, between 42nd street and 43rd street (Block No. 159, Lot No. 1), Sunnyside, Borough of Queens.

APPEARANCES—

For Applicant: Charles Rattner.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(538-38-A)

WHEREAS, Seelig & Finkelstein, for 35th Avenue Building Corporation, owner, filed on June 24, 1938, an appeal from a decision of the Borough Superintendent, affecting premises north side of 43rd avenue, between 42nd street and 43rd street (Block No. 159, Lot No. 1), Sunnyside, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, dated June 22, 1938, acting on N.B. App. No. 2838-1938, reads:

"1. The use of 'Jumbo' expanded metal reinforcing as lath for plastering is contrary to section 8.4.10.3 as to requirements of weight.

2. Lathing the entire building at one time with combustible lath is contrary to section 8.4.10.2."

and

WHEREAS, the proposed building will be 190.01 ft. by 181 ft. 9 in. in area, 6 stories (63 ft.) in height; of non-fireproof construction; to be located in a residence use district; to be occupied throughout as a multiple dwelling; and

WHEREAS, the applicant contends that the interior apartment partitions will be constructed of wood studs, floors constructed of wood floor beams; exterior walls to be of brick, furred with wood furring strips; that it is proposed to cover these partitions, ceilings and furred walls with "Jumbo' expanded metal reinforcing as manufactured by The Consolidated Expanded Metal Companies, as a base for plastering; that this does not include the walls and ceilings of the public halls, lobby and vestibule; that this appeal is based mainly and solely upon the results and tests of this material as to its strength, stiffness and mortar bonding qualities as a plaster base, which reports are now on file with the Board of Standards and Appeals.

Resolved, that the decision of the Borough Superintendent, in acting on N.B. App. No. 2838-1938 be and it hereby is *modified* and that the appeal be and it hereby is *granted* so as to permit the use of Jumbo expanded metal lath weighing 2.2 pounds per square yard not including paper backing or 2.86 lbs. per square yard with paper backing and permitting the building to be lathed at one time, not to include walls and ceilings of public halls, lobby and vestibule, *on condition* that in all other respects the lath shall be installed in accordance with the requirements of the Building Code and that the plaster shall be carefully troweled to insure adequate clinch.

543-38-A.

APPLICANT—David Kaufman, for Rosman Metal Body Company, Inc., owner.

SUBJECT—Appeal from an order and decision of the Fire Commissioner.

PREMISES AFFECTED—11-19 Broadway, north side, 124.9 ft. east of Vernon avenue (Block No. 502, Lot No. 41), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: David Kaufman.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(543-38-A)

WHEREAS, David Kaufman, for Rosman Metal Body Company, owner, filed on June 27, 1938, an appeal from an order and decision of the Fire Commissioner, affecting premises 11-19 Broadway, north side, 124.9 ft. east of Vernon avenue (Block No. 502, Lot No. 41), Long Island City, Borough of Queens; and

WHEREAS, the Order of the Fire Commissioner, No. 72699-LC, dated October 11, 1937, reads:

"1. Provide an enclosure of approved fire retarding material about space where open flame (acetylene welding torch) is used, separating same from the remainder of 1st story, and make the door to said enclosure self-closing, Sec. 159."

and

WHEREAS, said order was repeated in a decision of the Fire Commissioner, dated June 15, 1938; and

WHEREAS, the building is 1 story (13 ft.) in height; 100 ft. by 85 ft. in area; of non-fireproof construction; located in an unrestricted use district; erected in 1918 and occupied

since 1934 for the manufacture of motor-truck tank bodies —8 persons; and

WHEREAS, the applicant contends that the building is located in the rear of the lot and there is a front yard of approximately 10,000 sq. ft. in area; that acetylene torches are used for the cutting of tank bodies before they are mounted on chassis; that there are usually two to four chassis in the building with tank bodies ready to receive finishing touches; that the entire shop is used in the work; that to erect an enclosed space as called for in the Fire Commissioner's order would retard the work and would be a decided hardship in doing any cutting.

Resolved, that the order of the Fire Commissioner, No. 72699-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that no gasoline shall be stored in the tanks of the motor vehicles being repaired; that as soon as such motor vehicles are run into the shop and prior to any work thereon, the gasoline shall be removed from their tanks and stored in an approved portable gasoline tank located on the exterior of the building and said gasoline shall not be restored to the tanks of the motor vehicles until work requiring the open flame has been completed; that the operator of the acetylene welding equipment shall hold a certificate of fitness issued by the Fire Commissioner; that no painting or paint spraying shall be carried on in the premises; that such portable fire-fighting appliances shall be installed as the Commissioner shall direct; that in all other respects the premises shall conform with all laws, rules and regulations applicable thereto.

556-38-A.

APPLICANT—Joel D. Marder, for B. Altman Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—355-371 Fifth avenue, 188-198 Madison avenue, 1-15 East 34th street and 2-16 East 35th street (Block No. 864, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Joel D. Marder.

For Administration: Jacob Scharf, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(556-38-A)

WHEREAS, Joel D. Marder for B. Altman Company, owner, filed June 29, 1938, an appeal from a decision of the Borough Superintendent, affecting premises 355-371 Fifth avenue, 188-198 Madison avenue, 1-15 East 34th street and 2-16 East 35th street (Block No. 864, Lot No. 1), Borough of Manhattan;

WHEREAS, the decision of the Borough Superintendent, dated June 28, 1938, re. Alt. Applic. No. 1672-1938, reads:

"1. Not more than two adjoining stories in any structure may be connected by an open well or escalator. Sec. 6.4.1.9 B.C.

Escalators should be enclosed with partitions or walls having a fire resistive rating of a least three hours. Sec. 6.4.1.8.1 B.C."

and

WHEREAS, the building is 12 stories in height, 197 ft. 6 in. by 421 ft. in area, of fireproof construction, equipped with a standpipe and sprinkler system, located in a retail use and "B" area district, erected in 1905 and 1913 and occupied: cellar—engine room; basement—delivery room; the balance of the building as a department store; and

WHEREAS, the applicant contends that the building is equipped with an interior fire alarm system and watchman service; that it is proposed to floor over the present open rotunda from the second to the fifth floors and install two lines of escalators from the first to the fourth floors, enclosed by means of fire resistive balustrading finished with plaster on two sides; that the wells at top of balustrading will be provided with a rolling steel shutter in a horizontal position, manually operated by means of a suitable chain; that the opening at the ceiling will be protected with a baffle of 2 in. plaster on metal lath, extending downward at least 2 ft. and located within 2 ft. of each of such openings; that the openings shall be additionally protected by sprinkler water curtains around the perimeters of such baffles with sprinkler heads spaced 4 ft. apart; and that an automatic electrical device, that will stop the operation of the escalator upon closing of the shutter, is to be provided; that in a building of this type and use, the protection afforded by the proposed alteration, is superior to the present construction and a favorable consideration is respectfully requested.

Resolved, that the decision of the Borough Superintendent in acting on Alt. Applic. No. 1672-1938, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the installation shall be of fireproof construction throughout; that there shall be constructed baffle plates around each floor opening, extending downward at least two feet and located within two feet of the perimeter of such opening; that these baffle plates may be of steel or 2-in. wire lath and plaster; that supplementary sprinklers shall be installed in addition to the sprinkler system in the building, to form a sprinkler curtain on the exterior of the baffle plates around each opening; that the heads of sprinkler system shall not be over two feet from the baffle plate and shall be not more than six feet on centers; that where any sprinkler head of the building sprinkler system is at a point closer than four feet to a head in the sprinkler curtain, a metal reflector shall be installed at such head to prevent water cooling; that a roller shutter shall be installed over each opening constructed in a horizontal position and arranged so as to be manually operated for closing or opening by means of a chain, permanently attached, or by means of a permanently attached crank-handle so constructed as to operate the curtain both for closing and opening; that such handle mechanism, however, shall not be installed until submitted to and approved by this board; that if the chain is used, it shall be a chain weighing not less than one-quarter pound per running foot; that on all shutters, directly above the bottom rail the words "Close Shutter to Floor," with an arrow pointing downwardly, shall appear; that a gong shall be installed at each escalator run, operated by means of pushbutons located centrally; two to a floor, the pushing of any such button to ring gongs on all floors, closing escalator curtains; that instructions to all superintendents and section managers shall include, in addition to general instructions, as to use of fire extinguishing equipment and exits in case of fire, instruction and monthly drill as to closing escalator curtains, so that responsibility will at all times be fixed on certain attendants on each floor to insure that the curtains will be immediately closed upon sounding of the gong signal; that the closing of the curtain shall automatically stop all escalators; that these curtains shall be closed at all times when the store is not open for business and also shall be tested during the conduct of the fire drill; that this modification is *granted* only so long as the building is occupied by B. Altman and Company as a department store and the sprinkler and standpipe systems are maintained to the satisfaction of the Fire Commissioner and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

558-38-A.

APPLICANT—Midtown Service Corporation, lessee for Ocean Realty Operating Co., Inc., owner.

MINUTES

SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—North side of Surf avenue between West 8th street and West 12th street (Block No. 7268, Lot Nos. 1, 5, 9, 65, 77, 100, 162, 225, 236, 281, 357 and 360); (Luna Park), Borough of Brooklyn.
APPEARANCES—
For Applicant: Samuel C. Collier and C. R. Miller.
For Administration: Capt. G. J. Foster, Fire Dept.
ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(558-38-A)

WHEREAS, Midtown Service Corporation, lessee, for Ocean Realty Operating Co., Inc., owner, filed on June 29, 1938, an appeal from an order of the Fire Commissioner, affecting premises north side of Surf avenue, between West 8th and West 12th streets (Block No. 7268, Lots 1, 5, 9, 65, 75, 77, 100, 162, 225, 236, 281, 357 and 360); (Luna Park), Borough of Brooklyn; and

WHEREAS, the order of the Fire Commissioner No. A-8, dated June 14, 1938, reads:

"You are hereby ordered and required forthwith to 1. Restore direct telegraph communication with Fire Department Headquarters. (Chap. 19, Title A, Sect. 487-E-2.0, Paragraph 2-b)."

and

WHEREAS, the premises consist of about three (3) city blocks on which a group of frame buildings has been erected, all located within a business use, "A" area district, and occupied throughout as an amusement park (Luna Park), with an occupancy of 25,300 persons; and

WHEREAS, the applicant contends that the premises affected is across the street from West 8th Street Fire House; access may be had by the apparatus of the fire department by driving across West 8th street; that near the center of the Park in a tower, approximately 100 ft. high, the management maintains a fire alarm bell of sufficient volume to be heard in the fire house on West 8th street, the fire house knows this signal; the management maintains an adequate staff and from time to times its members are subjected to fire drills; that there are three fire boxes, one located at Surf avenue and West 10th street, which is the main entrance to the Park, another on West 12th street directly opposite an exit from the Park and the third on Neptune avenue, opposite the Park; that a complete internal telephone system consisting of approximately ten boxes is maintained for 24 hours of the day; when the Park is in operation there are approximately 300 employees and during the hours when the Park is closed it is patrolled by four watchmen; that the management maintains a system of clocks for checking its watchmen; and

WHEREAS, the board deemed that due to the character of construction of the buildings, the large area of plot and the large attendance, there existed a hazard and that no modification of the order should be granted.

Resolved, that the order of the Fire Commissioner, No. A-8, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

560-38-A.
APPLICANT—James J. Millman for Winston Construction Company, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED — Northeast corner of 167th street and Depot road (Block No. 5294, part of Lot No. 1), Flushing, Borough of Queens.
APPEARANCES—
For Applicant: James J. Millman.
For Administration: David Stone, Department of Housing and Buildings.
ACTION OF BOARD—Appeal granted.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(560-38-A)

WHEREAS, James J. Millman, for Winston Construction Company, owner, filed on June 30, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises northeast corner of 167th street and Depot road, (Block No. 5294, part of Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, acting on N.B. App. No. 6369-1937, dated June 30, 1938, reads:

"Objection 13—Fire-escapes are located in outer court at north; fireproof fire passage leading directly to street not provided."

and

WHEREAS, the proposed building will be 6 stories (64 ft.) in height, 143 ft. 8 in. by 84 ft. 8 in., in area; of non-fireproof construction; to be located in a residence and business use, "C" area district and to be occupied throughout as Class A Multiple Dwelling; and

WHEREAS, applicant contends that the proposed structure is on a corner plot facing two streets with a yard 10 ft. deep for a distance of 45 ft. 7 in. from the building front on Depot road and from that point continuing at a depth of 15 ft. 4 in., that this yard leads into an outer court on the north side lot line with a voluntary width of 10 ft. 0 in.; that this voluntary increase from the required 7 ft. 8 in. to 10 ft. 0 in. was expressly made for the purpose of placing a fire-escape in the court to comply with Sect. 145 M.D.L.; that the distance between the point of fire-escape landing, to the point of yard beginning is 26 ft. 0 in. and is level and is open to the street and to the sky and is unobstructed; that the requirement of a fire-passage was always interpreted as applying exclusively to buildings on interior lots and to fire-escapes on interior lots; that the proposed escape in the open on a level surface through the wide yard leading directly to the street (26 ft.) is a much better, safer and more direct escape to the street than the less safe, poorer and more hazardous fire passage required by the Superintendent; and

WHEREAS, in the opinion of the board, the exit from the bottom of the fire escape in the court through the rear yard to Depot road can be considered direct and in compliance with the requirements of section 26, subdivision 4a and section 145 of the Multiple Dwelling Law.

Resolved, that the decision of the Borough Superintendent, acting on N.B. Applic. No. 6369-37, objection 13, be and it hereby is *reversed,* and the appeal be and it hereby is *granted.*

563-38-A.
APPLICANT—Eric Kebbon for National Association of Audubon Societies, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—1006 Fifth avenue, east side, 77.2 ft. south of East 82nd street (Block No. 1493, Lot No. 72), Borough of Manhattan.
APPEARANCES—
For Applicant: E. J. Dolzer and John H. Baker.
For Administration: Jacob Scharf, Department of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(563-38-A)

WHEREAS, Eric Kebbon, for National Association of Audubon Societies, owner, filed July 1, 1938, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises 1006 Fifth avenue, east side, 77.2 ft. south of East 82nd street (Block No. 1493, Lot No. 72), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent dated June 17, 1938, re. Alt. Applic. No. 1687-1938, reads:

"2. If building is intended to be used throughout for educational purposes exclusively, it must then comply with Art. 4.2.1 Building Code which calls for a fireproof building throughout.

3. Means of egress are inadequate. One enclosed stair, complying with Art. 6 of the Building Code must be provided."

and

WHEREAS, the building is six stories (71 ft.) in height, 25 ft. by 99 ft. in area, of non-fireproof construction, located in a residence use district, erected in 1899 and occupied: Cellar—storage and mailing room, 4 persons; 1st floor—reception room and exhibition room, 3 persons; 2nd floor—library and committee rooms, 1 person; 3rd floor—offices, 5 persons; 4th floor—office, 7 persons; 5th floor—offices, 8 persons; 6th floor—offices, 5 persons; and

WHEREAS, the applicant contends that in view of the limited occupancy and inasmuch as the building is of partly fireproof construction, the exterior walls being of masonry, the floors of steel and terra cotta arches with the lower flange of the steel beams fireproofed with terra cotta, and as the elevator and dumbwaiter shaft are enclosed with terra cotta, it is respectfully requested that a reconsideration be granted from Objection *Two* of the Department of Housing and Buildings; that it is also respectfully requested that a reconsideration be granted from Objection *Three* of the Department of Housing and Buildings and that it be permitted to maintain the present main wood stair and stud partitions; and

WHEREAS, the board in acting on this appeal, is considering only the structural condition of the building and is not considering the application of the zoning resolution.

Resolved, that the decision of the Borough Superintendent, re. Alt. Applic. No. 1687-1938, Objections 2 and 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted, on condition* that the occupancy above the street floor shall at no time exceed fifty (50) persons; that the front and rear stairways shall be enclosed within partitions, which may be of wood studs with wire lath and plaster both sides; with fireproof, self-closing doors at openings to and above roof; that the stairs in the cellar shall be enclosed in terra cotta partitions; that from the rear yard there shall be an opening in the fence so as to permit exit to the adjoining property; that there shall be installed a partial one-source sprinkler system, fed from street pressure, protecting both stairways and all spaces in the cellar except the boiler room; that the boiler room shall be separated from all other parts of the building, by fireproof construction and all openings thereto shall be protected with fireproof self-closing doors; that the elevator and dumbwaiter shafts shall be enclosed in fireproof partitions with fireproof, self-closing doors at all openings; and that in all other respects, all laws, rules and regulations shall be complied with as to the construction and occupancy of these premises.

1114-23-A.
APPLICANT—Empire State Ignition Corporation, lessee.
SUBJECT—Application for consideration — reopening — amendment re appeal from an order of the fire commissioner.
PREMISES AFFECTED—625 West 125th street (Block No. 1995, part of Lot No. 31), Borough of Manhattan.
APPEARANCES—
For Applicant: John H. Mooney.
ACTION OF BOARD—Appeal reopened and resolution of November 13, 1923, rescinded.
THE VOTE TO REOPEN AND RESCIND RESOLUTION OF NOVEMBER 13, 1923—
Affirmative: Commissioners Savage and Blum and Assistant Chief Walsh..... 3
Negative: Chairman Murdock 1
Absent 0

THE RESOLUTION—

(1114-23-A)

WHEREAS, the Empire State Ignition Corporation, lessee, filed September 26, 1923, an appeal with the Board of Appears from an order of the Fire Commsisioner No. 17-992-LC, affecting premises 625 West 125th street (Block No. 1995, part of Lot No. 31), Borough of Manhattan; and

WHEREAS, this appeal was granted by the board November 13, 1923, on certain conditions; and

WHEREAS, the applicant has now vacated these premises and therefore the conditions set forth in the action of the board of November 13, 1923 have no further bearing on these premises and the action should therefore be rescinded.

Resolved, that the resolution adopted November 13, 1923 be and it hereby is *resinded.*

VARIATION OF LABOR LAW

473-38-S.
APPLICANT—Subway Arcade Foods, Inc., lessee.
SUBJECT—Application for variation of the labor law, as cited in a decision of the Board of Health of the Department of Health.
PREMISES AFFECTED—261 West 42nd street, northeast corner of Eighth avenue (Block No. 1014, Lot Nos. 1 to 4½ inclusive), Borough of Manhattan.
APPEARANCES—
For Applicant: Bernard H. Kayder and Earl Moise.
For Administration: A. E. Abrahamson, Department of Health.
ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(473-38-S)

WHEREAS, Subway Arcade Foods, Inc., lessee, filed June 9, 1938, an application for a variation from the requirements of the Labor Law as cited in a decision of the Board of Health, affecting premises 261 West 42nd street, northeast corner of 8th avenue (Block No. 1014, Lot Nos. 1 and 4½ inclusive), Borough of Manhattan; and

WHEREAS, the decision of the Board of Health on Application No. 4063, dated May 10, 1938, reads as follows:

"At a meeting of the Board of Health of the Department of Health of the City of New York, held May 10, 1938, your application for a Sanitary Certificate for a cellar bakery at 261 West 42nd street, in the Borough of Manhattan, was denied."

and

WHEREAS, the building is one story and mezzanine (20 ft.) in height, 100 ft. by 80 ft. in area, of non-fireproof construction, erected in 1937, opening in cellar to subway, and occupied: Cellar—lunch room with baking of crullers,

store and stock room; 1st floor—stores, mezzanine, stock and dressing room; the bakery is 10 ft. high in the clere, and is located 12 ins. below grade; and

WHEREAS, the applicant contends that the entire luncheonette space, which is the subject of the decision of the Board of Health, is open and adjoins a public thoroughfare connecting the street and subway station; as part of its equipment the luncheonette utilizes a doughnut machine for the manufacture of doughnuts which are sold for consumption on and off the premises; that the doughnut machine is self-contained, automatic and requires no manual labor in its operation and is not an oven of the type commonly used in cellar bakeries.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Board of Health on Applic. No. 4063; and that the application be and it hereby is *granted* for the issuance of a certificate of exemption, to permit the installation and use of the proposed doughnut machine, *on condition* that the machine shall be ventilated to the outer air and that no additional equipment for cooking or baking shall be installed.

APPLIANCES SUBMITTED FOR APPROVAL

799-26-SA.

APPLICANT—Stanley & Patterson Division of Schwarze Electric Company, owner.

SUBJECT—Application for reopening — amendment — re Faraday Break Glass Door Lock for fire alarm boxes.

APPEARANCES—
For Applcant: I. F. Badeau.

ACTION OF BOARD—Application reopened and name of appliance corrected.

THE VOTE TO REOPEN AND CORRECT NAME OF APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(799-26-SA)

WHEREAS, Stanley & Patterson, owner, filed, September 30, 1926, a petition with the Board of Standards and Appeals for approval of their device known as the Faraday Break Glass Door locking device for interior fire alarm boxes; and

WHEREAS, this device was submitted to the fire department for test and report and a report of the chief of the bureau of fire prevention dated January 10, 1927, embodying a report of the inspector in charge of the electrical division of the bureau of fire prevention recommended the approval of the device in accordance with the stipulations of said report; and

WHEREAS, *this device was approved by the board on on January* 18, 1927; *and*

WHEREAS, *under date of January* 15, 1938, *Stanley and Patterson, were purchased intact, by the Schwarze Electric Company of Detroit, Michigan, and the applicant will hereafter be known as Stanley and Patterson Division of the Schwarze Electric Company.*

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Faraday Break Glass Door locking device for interior fire alarm boxes when designed, operated and maintained in accordance with the report of the inspector in charge of the electrical division of the bureau of fire prevention.

402-27-SA.

APPLICANT—Stanley & Patterson, Division of Schwarze Electric Company, owner.

SUBJECT—Application for reopening—amendment—Faraday Model A, C, F & H Control Panel Single Stroke Gongs and Trouble Bell.

APPEARANCES—
For Applicant: I. F. Badeau.

ACTION OF BOARD—Application reopened and name of appliance corrected.

THE VOTE TO REOPEN AND CORRECT NAME OF APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(407-27-SA)

WHEREAS, Stanley & Patterson, Inc., owner, filed April 16, 1927, a petition with the Board of Standards and Appeals for approval of their device known as the Faraday Model "A" Control Panel for 110-220 Volts D. C., Model "C" Control Panel for 110-220 Volts D. C. Pre-Signal, Model "F" Control Panel for 110-220 Volts A. C., Model "H" Control Panel for 110-220 Volts A. C. Pre-Signal, Model 5100 Under Dome Type Solenoid Single Stroke Gong, Model 5120 Neck Type Solenoid Single Stroke Gong for 110 Volt A. C. with not more than 10 gongs per circuit and Model 2502 Trouble Bell for 110 Volt A. C. and D. C. service; and

WHEREAS, these devices were submitted to the fire department for test and report and a report dated November 5, 1927, signed by the chief of the bureau of fire prevention recommended the approval of these devices; and

WHEREAS, *these devices were approved by the board on November* 22, 1927; *and*

WHEREAS, *under date of January* 15, 1938, *Stanley and Patterson were purchased intact by the Schwarze Electric Company of Detroit, Michigan, and the applicant will hereafter be known as the Stanley and Patterson Division of the Schwarze Electric Company.*

Resolved, that the Board of Standards and Appeals does hereby *approve* these devices for fire alarm panel use in accordance with the report of the chief of the bureau of fire prevention.

187-28-SA.

APPLICANT—Stanley & Patterson Division of Schwarze Electric Company, owner.

SUBJECT—Application for reopening—amendment—Faraday Model 6120 Single Stroke Solenoid 110 Volt D.C. Fire Alarm Gong.

APPEARANCES—
For Applicant: I. F. Badeau.

ACTION OF BOARD—Application reopened and name of appliance corrected.

THE VOTE TO REOPEN AND CORRECT NAME OF APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(187-28-SA)

WHEREAS, Stanley & Patterson, owner, filed, March 1, 1928, a petition with the Board of Standards and Appeals for approval of their device known as the Faraday Model 6120 and 6130 Single Stroke Solenoid Gongs for operation in series on 110 volt D.C. fire alarm circuits; and

WHEREAS, the chief of the Bureau of Fire Prevention has reported the result of an examination and test of these devices and recommended the approval of these devices; and

WHEREAS, *this device was approved by the board on May* 28, 1929; *and*

MINUTES

WHEREAS, *under date of January* 15, 1938, *Stanley and Patterson were purchased intact by the Schwarze Electro Company of Detroit, Michigan, and the applicant will hereafter be known as Stanley and Patterson Division of the Schwarze Electric Company.*

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Faraday Model 6120 and 6130 Single Stroke Solenoid Gongs for operation in series on 110 volt D.C. fire alarm circuits, when installed and operated in accordance with the report of the chief of the Bureau of Fire Prevention.

188-28-SA.

APPLICANT—Stanley & Patterson Division of Schwarze Electric Company, owner.

SUBJECT—Application for reopening — amendment — re Faraday Waterflo Alarm Panel.

APPEARANCES—
For Applicant: I. F. Badeau.

ACTION OF BOARD—Application reopened and name of appliance corrected.

THE VOTE TO REOPEN AND CORRECT NAME OF APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(188-28-SA)

WHEREAS, Stanley & Patterson, owner, filed, March 1, 1928, a petition with the Board of Standards and Appeals for approval of their device known as the Faraday Waterflo Alarm Panel; and

WHEREAS, this device was submitted to the fire department for test and report, and report of the chief of the fire prevention bureau dated March 11, 1930, recommended the approval of the device; and

WHEREAS, *this device was approved by the board on March* 25, 1930; *and*

WHEREAS, *under date of January* 15, 1938, *Stanley and Patterson were purchased intact by the Schwarze Electric Company of Detroit, Michigan, and the applicant will hereafter be known as the Stanley and Patterson Division of the Schwarze Electric Company.*

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Faraday Waterflo Alarm Panel for use on standpipe and sprinkler installations when installed and operated in accordance with the report of the chief of the bureau of fire prevention.

36-38-SA.

APPLICANT—L. S. Knight, for York Ice Machinery Corporation, owner.

SUBJECT—York Air Conditioning Systems Oil Burner, Model M.V. 141, approval of.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(36-38-SA)

WHEREAS, L. S. Knight for the York Ice Machinery Corporation, owner, filed January 20, 1938, an application with the Board of Standards and Appeals for approval of the device known as the York Air Conditioning Systems Oil Burner, Model M.V.141; and

WHEREAS, this device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board, supplemented by that of the Division of Combustibles of the Fire Department was substantially as follows:

This oil burner is of the pressure atomizing gun type and is used in connection with a boiler burner unit, and consists of the following assembly: A Century 1/6 H.P. Motor; a sirocco type fan; a Tuthill fuelstat consisting of pump, strainer and pressure regulating valve; a Monarch nozzle of a capacity from 7/8 of a gallon to 4½ gallons. These burners are designed for use of Numbers 1, 2 and 3 commercial grades of fuel oil.

Ignition—Electric, Jefferson transformer; 110-10,000 volts.

Controls—Minneapolis Honeywell controls consisting of Protectorelay R 117-3 and a Pressuretrol L-404.

With the oil supply shut off and a cold combustion chamber the burner was put into operation and on two successive tests the controls functioned and shut the burner down in 40 and 42 seconds respectively. The burner was then put into normal operation and during the period of the test there were no flarebacks and all the controls functioned as designed.

Examination of the combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is therefore recommended that the YORK AIR CONDITIONING SYSTEMS OIL BURNER, MODEL M.V. 141, be approved for domestic and commercial installations when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, with fuel oil not heavier than No. 3, U.S. Dept. of Commerce Standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the York Air Conditioning Systems Oil Burner, Model M.V. 141, for domestic and commercial installations with fuel oil not heavier than No. 3 U.S. Dept. of Commerce Standards, when installed and operated in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with above report *on condition* that the burner shall bear a label permanently affixed thereto reading:

APPROVED BY THE
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 36-38-SA.

98-33-SA.

APPLICANT—Ansonia Fire Prevention Eng. Co., Inc., for Elkhart Brass Mfg. Co., owner.

SUBJECT—Elkhart Recessed Siamese Hose Connection for Standpipe and Sprinkler Systems 3 x 3 x 6 inch flush type of straightway and 90 degree patterns—approval of.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(98-33-SA)

WHEREAS, the Elkhart Brass Mfg. Co., owner, filed March 14, 1933, an application with the Board of Standards and Appeals for approval of the device known as the Elkhart Recessed Siamese Hose Connection for Standpipe and Sprinkler System, 3 x 3 x 6 inch with flush type of straightway and 90 degree patterns; and

WHEREAS, the device was submitted to the Engineer of the board for test and report; and

WHEREAS, the report of the Committee of the board of which the Engineer was a member, was as follows:

Re.: Cal. No. 98-33-SA.

Subject: Elkhart Recessed Siamese Hose Connection for Standpipe and Sprinkler Systems.

July 1, 1938.

We have examined the Elkhart Recessed Siamese Hose Connection as submitted for approval, also the report and working drawings on file from the Underwriters' Laboratories, which certify that the Siamese conforms to the requirements of Rule 93 of the Standpipe Rules of the Board of Standards and Appeals on specifications for Siamese connections.

We conducted a test at the Fire Department's Repair Shops in Long Island City, subjecting the clappers to 300 lbs. pressure with no indication of leakage.

We recommend the approval of this Siamese, on condition that the wall escutcheon plate containing the specific use of the Siamese, the approved calendar number and the name or trade mark of the manufacturer be provided and that the present design and strength of the Siamese be maintained and that the pipe nipples connecting the body of the Siamese to the pumper inlet swivels shall be of extra heavy brass.

(Sgd.) CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Elkhart Recessed Siamese hose connection for standpipe and sprinkler installation when installed in accordance with the above report.

MATERIALS SUBMITTED FOR APPROVAL

119-38-SM.

APPLICANT—Bird & Son, Inc., owner.

SUBJECT—Chromalin Floor Covering—Permatred Floor Covering—approval of.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE MATERIAL—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(119-38-SM)

WHEREAS, Bird & Son, Inc., owner, filed February 28, 1938, an application with the Board of Standards and Appeals for approval of the materials known as Chromalin Floor Covering, and Permatred Floor Covering; and

WHEREAS, these materials were tested by a committee of the board, report of which committee was as follows:

Cal. No. 119-38-SM.

Subject: Chromalin Floor Covering-Permatred Floor Covering.

June 25, 1938.

Bird & Sons, Inc., East Walpole, Mass., filed on February 28, 1938, an application for the approval of the floor coverings known as Chromalin and Permatred, in accordance with the pertinent provisions of the Administrative Code, the Multiple Dwelling Law and the rules and regulations of the Tenement House Department as revised June, 1937.

Chromalin is a floor covering consisting of a mastic made up of wood flour and special synthetic binders, cemented to a base of asphalt saturated, rag felt. The binders are gums and synthetic resins, which, in combination with a vehicle, constitute the binder.

Permatred is a floor covering made by the same manufacturer, consisting of a mastic made of pitch and other synthetic binders and mineral materials, including color pigment, and cemented to an asphalt saturate rag felt base.

Tests were made with a blow torch at the plant of Bird & Sons, Inc., at East Walpole, Mass., on four panels, 24 in. x 24 in., three of which had the material known as Chromalin cemented to an incombustible deck, while the fourth was nailed to a wood deck. All tests were performed with decks standing almost vertically. In the case of the three incombustible deck specimens, the covering ignited and went out almost immediately, even though the torch was applied along the bottom edge. A similar test on the wood deck specimen developed a vigorous flame when the blow torch was applied along the bottom of panel specimen. The vigor of this flame was due to the fact that there was an air space between the Chromalin and the wood decking, which differed from the other specimens in that they were cemented. The flame, however, died out before the sample was one-third consumed and without any ignition of the (white pine) deck. None of these materials gave off any obnoxious fumes or quantity of smoke.

Under Section 10.9.2.4 BC (Admin. Code C-26-667.0, sub. 4) it is recommended that this material be approved for use as a wearing surface, when cemented to the floor construction, under the rules and regulations of the Tenement House Department revised June, 1937, Article IV, when installed in accordance with the requirements of this article, as a linoleum in existing Class A multiple dwellings, in public halls and stairs, and also as permitted in 6-1.3 Ten. House Dept. Rules, felt base floor coverings in a public hall of fireproof construction. This material is marketed in rolls and bundled in tile form, and when so marketed, each bundle or roll shall be labeled, tagged or stamped, "Chromalin" or "Permatred" and "Approved by the Board of Standards and Appeals under Cal. No. 119-38-SM for use in New York City."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeal does hereby *approve* the materials known as Chromalin and Permatred for use in New York City, when manufactured and installed in accordance with the above report, *on condition,* that each bundle or roll marketed in New York City, shall be labeled, tagged or stamped, "Chromalin" or "Permatred" and the words "Approved by the Board of Standards and Appeals for use in New York City, under Cal. No. 119-38-SM."

433-38-SM.

APPLICANT—Coplay Cement Mfg. Company, owner.

SUBJECT—Approval of Saylor's Portland Cement and Saylor's Velvet Mortar Cement, manufactured by Coplay Cement Mfg. Co.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee on tests.

THE VOTE TO APPROVE MATERIAL—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

MINUTES

(433-38-SM)

WHEREAS, the Coplay Cement Mfg. Company, owner, filed June 1, 1938, an application with the Board of Standards and Appeals for approval of the materials known as Saylor's Portland Cement and Saylor's Velvet Mortar Cement; and

WHEREAS, this material was submitted to the committee on tests of the board; and

WHEREAS, the report of the committee was as follows:

Re.: Cal. No. 433-38-SM.

Saylor's Portland Cement.

Saylor's Velvet Mortar Cement.

The Coplay Cement Mfg. Company of New York City filed with the board a request for the approval of their materials known as Saylor's Portland Cement and Saylor's Velvet Mortar Cement under the pertinent sections of the Administrative Code as listed in their application.

SAYLOR'S PORTLAND CEMENT

Saylor's Portland Cement is manufactured at Coplay, Pa., by the Coplay Cement Mfg. Co., using the dry process, a flow sheet of this method of manufacture is filed with the application. Included also, is a record of the supply of raw material estimated at 20 million tons indicating a long supply of homogeneous materials. Tests in accordance with ASTM C-9-37 and C-77-37 and made at the laboratories of E. L. Conwell & Co., Philadelphia, Pa. The Haller Testing Laboratories of New York and the Pittsburgh Testing Laboratory, Pittsburgh, Pa., have been filed. The results of these tests are as follows:

Chemical Analysis

	Av. of all tests submitted	*A.S.T.M. Limits*
Magnesia	3.19%	5%
Sulphuric Anhydride ..	1.77%	2%
Loss by ignition.....	1.53%	4%
Insoluble residue	.232%	0.85%
Physical Tests		
Soundness	Satisfactory	Satisfactory
Initial Set	3 hr. 21 min.	Not less than 45 m.
Final Set	6 hr. 14 min.	Less than 10 h.
Fineness 200 m..	94.45%	More than 78%
Tensile Strength		
7 days	327 # P.S.1	275 # P.S.1
28 days	395 # P.S.1	350 # P.S.1

On the bases of the foregoing tests, which have fully met the requirements of A.S.T.M. Specifications, it is recommended that Saylor's Portland Cement as manufactured by the Coplay Cement Mfg. Co. at Coplay, Pa., be approved for use in New York City in accordance with the requirements of C26-312.0 A.C. (7.1.1.7.3 BC).

SAYLOR'S VELVET MORTAR CEMENT

Saylor's Velvet Mortar Cement as manufactured by the applicant consists of an intimate mixture of 50% Saylor's Portland Cement by volume 1% of integral waterproofing compound toxement as manufactured by Toch Bros. of New York City and 49% of plastersizer which consists of a practically pure and raw calcium carbonate. All three of these materials are ground together. Tests were performed on which data has been filed as follows:

Test 1

This test was performed at the manufacturer's plant in accordance with Federal Specification SS-181b.

	Test Results	*Federal Specifications*
Fineness 200 m.....	97.0	Must be over 88% fine
Setting—initial	4 h 15 m	Must be over 1 hr.
Setting—final	7 h 35 m	Must be under 48 hrs.
Soundness, air and water, 7 days	Sound	Must be sound
Soundness, air and water, 28 days ...	Sound	Must be sound
Compressive strength 1:3, Ottawa Sand, 7 days	730	Must be over 500 # P.S.1 Type 2
Compressive strength 1:3, Ottawa Sand, 28 days	1420	Must be over 1000 # P.S.1 Type 2
Water retention %..	68%	Must be over 65%
Water repellency ...	0.56%	Must not be over 0.90

Tests were also performed by the manufacturer in accordance with ASTMC 91-32T which have been under consideration since 1932 and as yet no final specification has been adopted.

Mfgs. Test Results	*Columbia Test Results 1933*	*ASTM Spec.*
Fineness 200 m % fine 97.0	95	Must be over 80% fine
Setting—initial . 4 h 15 m	2 hr 45 m	Must be over 1 hr.
Setting—final .. 7 h 35 m	5 hr 15 m	Must not be over 48 hrs.
Soundness — air, 7 days.... Sound	Sound	Must be sound
Soundness — water, 28 days Sound	Sound	Must be sound
Compressive strength 1:3, Ottawa sand, 7 days 808	510	Must be over 175 # P.S.1
Compressive strength 1:3, Ottawa sand, 28 days 1510	985	Must not be lower than 7 day strength

Additional tests were performed at Columbia University in 1936 with 15% of the Saylor's Velvet Mortar Cement replaced by hydrated lime and mixed 1:3 with Ottawa sand and again repeated substituting 15% lime putty for the 15% hydrated lime with results as follows:

Saylor's Velvet Mortar Cement with 15% hydrated lime compressive strength, average of 4 specimens—
7 days 555 28 days 864

With lime putty substituted for the hydrated lime, average of 4 specimens—
7 days 295 28 days 612

The results of these tests, excepting the additional tests mentioned above, meet the requirements of A.S.T.M. C91-32T and the Federal Specification SS-C181 b for type 1 and type 2 masonry mortars.

It is recommended that Saylor's Velvet Mortar Cement be approved for use in New York City under C.26-313 b.2 (7.1.1.8.2) C-26 313.Oc A.C. (7.1.1.8.3) C-26-314.0 (7.1.1.9) for use whenever cement lime or lime mortar is required and as limited by C.26-418.0 (8.4.1.6). This material is not approved for use in the latter named section as a substitute for cement mortar.

It is recommended that this approval of the Saylor's Velvet Mortar Cement be *tentative* and subject to further tests by the board.

Saylor's Portland Cement and Saylor's Velvet Mortar Cement approval of which is recommended is marketed in paper and cloth bags and in bulk; when packed in bags for use in New York City, it shall be tagged, labeled or marked "Approved by the Board of Standards and Appeals under Cal. No. 433-38-SM" and when marketed in bulk for use in New York City, the bill of lading of the bulk shipment shall be similarly marked.

(Sgd) BERNARD A. SAVAGE,
Commissioner.
LESTER V. HUBER,
Chief Engineer,

*Resolved, t*hat the Board of Standards and Appeals does hereby approve the materials known as Saylor's Portland Cement and Saylor's Velvet Mortar Cement in accordance with above report.

Adjourned, 5:10 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

SPECIAL MEETING

FRIDAY MORNING, JULY 8, 1938, 10 A. M.

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

633-26-BZ.

APPLICANT—Miriam Young, owner.

SUBJECT—Application reopened April 26, 1938 (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district the change of occupancy of part of an existing building from residence to business use (beauty parlor); (previously denied by the board re use of premises for business purposes five (5) stores).

PREMISES AFFECTED—1883 Marmion avenue, west side, 100 ft. north of East 176th street (Block No. 2954, Lot No. 34), Borough of The Bronx.

APPEARANCES—

For Applicant: Louis Bennett.

For Opposition: None.

ACTION OF BOARD—Laid over to July 12, 1938, at 2 P. M. Applicant to submit new plans.

344-38-BZ.

APPLICANT—Lama and Proskauer, for The Borden Company, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—942-958 DeKalb avenue, southwest corner of Lewis avenue (Block No. 1601, Lot No. 24), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama, Joseph J. Glazer, Clarence S. Birkmeyer, A. C. Lodaro, R. F. Howe and Morris Borden.

For Opposition: Albert Reiss, A. Oboler, J. N. Wanshel, Rose Reinheimer, Isidore Garson, Hyman Rattner, Marie Fincken, M. Trichter, Miss Axler, Mr. Friedman, Abraham Pinkus and others.

ACTION OF BOARD—Laid over to July 19, 1938, at 2 P. M. for report of committee. No further argument.

284-36-BZ.

APPLICANT—William T. McCarthy, for House of St. Giles the Cripple, owner.

SUBJECT—Application for consideration—reopening and amendment (decision of the acting borough superintendent of buildings) re application previously granted under section 21 of the building zone resolution permitting partly in a "C" area district and partly in an "E" area district the alteration and extension in height of an existing hospital building and the erection of additions thereto to occupy a greater area than permitted by the building zone resolution.

PREMISES AFFECTED — 1342-1350 (1346 displayed) President street and 335-343 Brooklyn avenue, southeast corner (Block No. 1285, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: William T. McCarthy.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

16-38-BZ.

APPLICANT—Herman Kron, for Greenwood Cemetery Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—240-246 East 35th street, south side, 100 ft. west of Second avenue (Block No. 915, Lot Nos. 38 and 41), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron and Daniel Adelman.

For Opposition: Moses M. Goldman, R. C. Marinaro, George Grace, Adolph Hageman and A. J. Scully.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(16-38-BZ)

WHEREAS, Herman Kron, for Greenwood Cemetery Corporation, owner, filed January 13, 1938, an application under the building zone resolution to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles: Premises: 240-246 East 35th street, south side, 100 ft. west of Second avenue (Block No. 915, Lot Nos. 38 and 41), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 8, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 35th street is in a residence and business use district; that East 34th street is in a residence and business use district; that Second avenue is in a business and residence use district; and that Third avenue is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated June 8, 1938, re. certificate of occupancy, reads:

> "Your application for a certificate of occupancy for the use of the above premises for parking and storage of more than 5 motor vehicles has been denied as the premises is located in a residence district where this occupancy is prohibited by the zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 83 ft. 2 in. and a depth of 89 ft. 9 in. It is proposed to occupy the plot, for a temporary period of not more than 2 years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled

to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent dated June 8, 1938, be and it hereby is *affirmed,* and that the application be and it hereby is *denied.*

288-38-BZ.

APPLICANT—Paul Friedman, for Brooklyn Trust Co., as Trustee.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—602-622 Brightwater court, 601-643 Riegelman boardwalk, 3153-3173 Brighton 6th street and 3288-3310 Coney Island avenue (Block No. 7284-10, Lot Nos. 2271 and 2275), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman and Vincent Padula.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(288-38-BZ)

WHEREAS, Paul Friedman, for Brooklyn Trust Co., owner, filed April 19, 1938, an application under the building zone resolution to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; Premises: 602-622 Brightwater court, 601-643 Riegelman boardwalk, 3153-3173 Brighton Sixth street and 3288-3310 Coney Island avenue (Block No. 7284-10, Lot Nos. 2271, and 2275), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 8, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Riegelman boardwalk is in a business use district; Brightwater court is in a business use district; Brighton 6th street is in a business use district; and that Brighton 7th street is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated April 5, 1938, re. Applic. No. 2392-1938, reads:

> "Proposed storage and parking of more than five cars in a business district is contrary to Building Zone Resolution Art. 4, Section 15 and Art. 5, Sec. 21. Therefore application is denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 381 ft. on Brightwater court, 200 ft. on Coney Island avenue, 368 ft. on Riegelman boardwalk and 200 ft. on Brighton 6th street. It is proposed to use the plot for a temporary period of not more than 2 years for the parking and storage of more than 5 motor vehicles; and

WHEREAS, the board deemed that this was a proper case to exercise its discretion under section 7, subdivision h of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted,* under section 7h, for a period of two years, from the date of this action, to permit the vacant portion of the plot under appeal to be used for the parking and storage of more than five motor vehicles, restricted to automobiles of the pleasure car type, *on condition* that such portion shall be surfaced with steam cinders or other suitable material, properly rolled and treated with a binder to prevent dusting and properly graded, so as to provide surface drainage; that there shall be erected on the street lines of Brighton 6th street, Brightwater court and Coney Island avenue, a substantial woven wire fence not less than 6 ft. in height, supported by steel pipe posts; that the openings for exit and entrance in this fence shall be restricted to three, not over 20 ft. in width, one to Brightwater court to the center, one to Coney Island avenue and one to Brighton 6th street; that these openings to these latter streets shall be not nearer than 50 ft. to the street intersections; that all existing signs shall be removed and no signs shall be erected, except a neat sign at each entrance, not over 15 sq. ft. in area each and attached to the fence, advertising the parking and storage use; that any lights for general illumination shall be on post standards with metal reflectors so placed as to reflect away from adjoining residential occupancies; that ample aisles shall be maintained at all times to provide ready exit and entrance; that concrete or wooden curb bumpers shall be located inside the fence lines and within 4 ft. thereof; that such portable fire-fighting appliances shall be installed as the Fire Commissioner shall direct; that no automobiles shall be parked within 10 ft. of the northerly side of Riegelman boardwalk or buildings facing thereon; that all permits shall be obtained and all work involved thereby completed within one month from the date of this action; and that no certificate of occupancy shall be issued until work has been completed in compliance with the terms of this resolution.

374-38-BZ.

APPLICANT—Henry Nordheim, for Frances Pitroniro, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—860-868 East 222nd street and 3863-3867 Bronxwood avenue, southwest corner (Block No. 4680, Lot No. 69), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Nordheim.

For Opposition: Bernard Kelly, Rocco A. Lallone, Gus Stareno, G. Krandies, Edward Marcantonio and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(374-38-BZ)

WHEREAS, Henry Nordheim, for Frances Pitroniro, owner, filed May 17, 1938, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station; Premises: 860-866 East 222nd street and 3863-3867 Bronxwood avenue, southwest corner (Block No. 4680, Lot No. 69), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 8, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 222nd street is in a

residence and business use district; Bronxwood avenue is in a business use district and East 221st street is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated April 21, 1938 re N.B. Applic. No. 142-1938, reads:

"2. Proposed gasoline service station, located in business district is contrary to section No. 4, article 2 of amended building zone resolution. Examination not further considered."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 64 ft. on Bronxwood avenue and 100 ft. on East 222nd street. It is proposed to erect upon the plot a one story structure 50 ft. by 22 ft. in area to be used as office, lubritorium and auto laundry and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the Borough Superintendent of Buildings in acting on N.B. Applic. No. 142-1938, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

612-37-BZ.

APPLICANT—Joseph B. Lynch, for Miriam Blumenthal, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—524-534 East 121st street, southwest corner of East River drive (Block No. 1817, Lot Nos. 19 to 25 inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph B. Lynch, Joseph L. Johnson and M. Blumenthal.

For Opposition: Henry G. Van Veen, H. H. Stern, Ralph Russo and Arthur S. Hodgkiss.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(612-37-BZ)

WHEREAS, Joseph B. Lynch, for Miriam Blumenthal, owner, filed December 22, 1937, an application under the building zone resolution to permit in a residence use district the erection and maintenance of a gasoline service station; Premises: 524-534 East 121st street, southwest corner of East River drive (Block No. 1817, Lot Nos. 19 to 25 inclusive), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 8, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East River drive is in a residence use district; East 121st street is in a residence use district and East 120th street is in a residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated May 31, 1938, re—N.B. Applic. No. 246-1937, reads:

"1. Contrary to use premises in a residential district for a gasoline service station Sec. 3, Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 113.5 ft. on East River drive and 151.3 ft. on East 121st street. It is proposed to erect a building one story, 14 ft. 11¾ in. in height, 28 ft. by 38 ft. 8 in. in area, to be used as an office and lubritorium and the necessary tanks and pumps for the conduct of a gasoline service station; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the Borough Superintendent of Buildings in acting on N.B. Application No. 246-1937, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

261-38-BZ.

APPLICANT—Saypol and Kotler, for Gothard Lowenstein, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED — 1381-1383 Flatbush avenue, northwest corner of East 26th street (Block No. 5227, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving H. Saypol and Leo Kotler.

For Opposition: Harry Friedman, Raymond P. Trundy, C. Scholl, Charles Stark and Daniel McNamara.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(261-38-BZ)

WHEREAS, Saypol and Kotler, for Gothard Lowenstein, owner, filed April 14, 1938, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station; Premises: 1381-1383 Flatbush avenue, northwest corner of East 26th street (Block No. 5227, Lot No. 1), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 8, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Flatbush avenue is in a business use district; East 26th street is in a residence and business use district and Foster avenue is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated March 31, 1938, re N.B. Application No. 16447-1937, reads:

"1. Proposed gasoline selling station and accessory building on lot within a business use district is contrary to Art. 2, Section 4 (a 46) of Zone Resolution. Above application is therefore denied."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 63 ft. on Flatbush

avenue and 76 ft. on East 26th street; it is proposed to demolish the buildings now on the site and to erect thereon a one story office, 20 ft. by 10 ft. in area and also the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and, was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the Borough Superintendent of Buildings in acting on N.B. Application 16447-1937, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

Adjourned: 1:45 P.M.

EDWARD V. BARTON, Chief Clerk.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, June 21, 1938, as they appeared in Bulletin No. 26, Vol. XXIII, are hereby corrected to read as follows:

THE RESOLUTION—

(124-38-SM)

WHEREAS, the North American Cement Corporation, owner, filed March 1, 1938, an application with the Board of Standards and Appeals for approval of their materials known as North American Portland Cement, Berkeley Masons Hydrated Lime and Blue Bond Masonry Cement; and

WHEREAS, this material was referred to the Committee on Tests for test and report; and

WHEREAS, the report of the Committee on Tests was as follows:

REPORT OF COMMITTEE ON TESTS

June 20, 1938.

Re Cal. No. 124-38-SM.
Subject: North American Portland Cement, Berkeley Masons Hydrated Lime, Blue Bond Mortar Cement.

The North American Cement Corporation, of New York City, filed with the Board a request for the approval of their materials known as North American Portland Cement, Berkeley Masons Hydrated Lime and Blue Bond Masonry Cement, under the pertinent sections of the Administrative Code as listed in their application. These materials were tested at the applicant's plant a Security Md., in the presence of a committee of the board on June 11, 1938, with result as follows:

North American Portland Cement

Portland Cement is manufactured by this applicant at Security, Md., Catskill and Howe's Cave, N. Y., the former using the dry process, the two latter using the wet process. A record of the supply of raw materials filed in this application indicates that consistently homogeneous raw material is available for at least twenty years. Flow sheets have been filed indicating the method of manufacture of this Portland Cement at the various plants. Samples of this material were tested in accordance with the requirements of the A.S.T.M. C-9-37 and C-77-37, as follows:

Chemical Analysis

Magnesia	3%	A.S.T.M. limits 5%
Sulphuric Anhydride	1.79%	A.S.T.M. limits 2%
Loss by ignition	1.25%	A.S.T.M. limits 4%
Insoluble Residue	.25%	A.S.T.M. limits .85%

Physical Tests

Soundness—	satisfactory—	satisfactory
Initial Set—	2 hrs. 35 min.	not less than 45 m.
Final Set—	5 hrs. 5 min.	less than 10 h.
Fineness 200 mesh sieve—	97.7%	more than 78%

Tensile strength of an average of five samples made —1-3 Ottawa sand.

383 lbs. per sq. in. against a required A.S.T.M. minimum of 275 lbs. The same materials in 28 days' test for five samples—450 lbs. as against required A.S.T.M. of 350 lbs.

The average of five two-inch cubes 1.2.77 graded Ottawa sand in compression 7 day spec. 2,685 lbs. per sq. in. while 28 day samples average 4,310 lbs. per sq. in.

On the basis of the foregoing tests, which have fully met the requirements of the A.S.T.M., it is recommended that Portland cement as manufactured by the North American Cement Corp. at Security, Maryland, Howe's Cave and Catskill, N. Y., be approved for use in New York City in accordance with the requirements of C 26-312.0 C.A.C. (7.1.1.7.3 B.C.).

Berkeley Masons Hydrated Lime

Hydrated Lime is manufactured by the applicant at Berkeley, W. Va., by calcinations from Shenandoah Valley, Blue High Calcium limestone, in accordance with flow sheet filed with this application, which includes a record of sufficient limestone deposits for at least 25 years' operations.

Samples of the material were tested in accordance with the requirements of C. 6-34 T, A.S.T.M.

Calcium and Magnesium Oxide	Carbon dioxide
96.4	(Sample at plant) 1.18
Limits A.S.T.M. 95.	5.

Soundness. This material when tested for soundness showed no visible effect when steam was applied with no disintegrating effects. Therefore, it is reported as sound.

Fineness in percentage passing a 30 mesh sieve; 100 in passing a 200 mesh sieve; 98.2 as against a minimum requirement of a 30 sieve not more than 5% residue and of a 200 sieve, 15% residue. This material passed a 325 mesh sieve with a residue of only 4.18, well within the requirements of a 200 mesh sieve.

The above test results are in accordance with A.S.T.M. 110-34 T Physical Tests.

On the basis of the foregoing tests it is recommended that Berkeley Masons Hydrated Lime as manufactured by the North American Cement Corp. at Berkeley, W. Va., be approved under C 20-3.1.2.0.1 A.C. (7.1.1.7.2. BC) for use as an ingredient for scratch or brown coat of plaster, for stucco, for mortar and for addition to Portland cement concrete.

Blue Bond Mortar Cement

Blue Bond Mortar Cement as manufactured by the applicant consists of an intimate mixture of 50% by volume of North American Portland Cement and 50% by volume of Berkeley Masons Hydrated Lime (both of these materials having been recommended for approval in this report) and by weight 73% of cement and 27% of lime, ⅛ of 1% of a water repellant material is added during mixing, which forms a calcium stearate in the body of the hardened mortar. This material is mixed together and intimately ground in a tube mill, after which it is stored and packed for shipment, all in accordance with the flow sheet filed by the applicant. Blue Bond mortar cement is manufactured at the plant of the North American Cement Corp. at Berkeley, W. Va. Tests were made in accordance with the requirements of S.S. 181-b.

Federal Specification for Masonry Cements, Types 1 and 2. (Type 1, low strength; Type 2, high strength.) Type 1 is intended for use where not exposed to frost action both in solid masonry and non-load bracing

masonry in hollow units, while Type 2 covers general use where mortars for masonry are required. Blue Bond Mortar met both these requirements.

Tests were as follows:

Test	*Test Results*	*Fed. Spec.* SS 181 b
Fineness 200 mesh sieve	97.%	88%
Setting time—initial	3 hrs.	Not less than 1 hour
Setting time—final	6 hrs.	Not more than 24 hours
Soundness	O.K.	No distortion, disintegration or cracking.
Water retention	72%	Greater than 65%
Water repellency	.50	Not greater than .90

No claim made as to nonstaining quality—

Strength—Compression

average of 5-2 in. cubes

at 7 days	1480 lbs. p.c. in.	250 type 1 500 type 2
at 28 days	1674 lbs. p.s. in	500 type 1 1000 type 2

The above meets the requirements of Federal specification SS-C-181A Grade A and SS-C-181B—Type 1 and Type 2.

Addition tests have also been performed in accordance with requirements of A.S.T.M. C91-32 T. which have been under consideration since 1932 and have not been adopted.

7 days average

Tests	*Results*	*ASTM Requirements*
Compressive Strength 2" cubes1-3 Standard Ottawa Sand		
7 days average		
5 specimens	1967 lbs. per sq. in.	175 lbs.
28 days	2723 lbs. per sq. in.	Not less than 7 days strength.

In accordance with these tests it is recommended that Blue Bond Mortar Cement be approved for use in New York City under C 26.313.0 AC (7.1.1.8.2 BC) C 26.313.0-c AC (7.1.1.8.3 BC) C.26-314.0 AC (7.1.1.9 BC) except as limited by C 26-418.0 AC (8.4.1.6). This material is marketed in paper and cloth bags and in bulk when packed in paper or cloth bags for use in New York City and it shall be tagged, labeled or marked "Approved by the Board of Standards and Appeals under Cal. No. 124-38-S.M." and when marketed in bulk for use in New York City, its bill of lading shall be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
CHARLES M. BLUM,
Commissioners.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the materials known as North American Portland Cement, Berkeley Masons Hydrated Lime and Blue Bond Masonry Cements, for use in New York City, when manufactured and used in accordance with the above report, *on condition* that the material when marketed in paper cloth bags or in bulk shall be tagged, labeled or marked "Approved by the Board of Standards and Appeals under Cal. No. 124-38-SM."

*Correction—"SS 181 b" added after "Fed. Spec." in line 112 of report. "CC 26-313 b 2 AC" changed to "C 26-313.0 AC" in line 146 of report; words "subdiv. E" omitted in line 147 of report and "C 26-313.0-c AC" added in line 147 of report.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, June 7, 1938, as they appeared in Bulletin No. 24, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(403-38-A)

WHEREAS, H. G. Vogel Company, for Adolf Goebel, Inc., owner, filed on May 23, 1938, an appeal from a decision of the borough superintendent, Department of Housing and Buildings, affecting premises 321-333 Johnson avenue, north side, 394 ft. west of Bogart street (Block No. 3056, Lot No. 224), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on App. No. 5775-38, dated May 10, 1938, reads as follows:

"1. (a) Obtain permission of Board of Standards and Appeals to omit sprinklers in basement. 57-37-S.

"(b) Obtain permission to omit sprinklers in boiler-room, coolers and wet process rooms. 57-37-S.

"4. 528 heads on single dry pipe valve (type A) excessive. 15.31.8.

"5. Show a detail of ceiling construction re spacing and location of heads. 15.18."

and

WHEREAS, the building is one and two stories in height, 124 ft. by 200 ft. in area, partly of frame, partly nonfireproof and partly fireproof construction; located in an unrestricted use district and occupied as follows: Cellar—hide storage, 6 persons; 1st floor—engine and boiler room, 26 persons; 2nd floor—coolers, storage, offices and slaughter rooms, 26 persons; for which Certificate of Occupancy 86174 was issued February 16, 1938; and

WHEREAS, applicant contends that the floor of the basement story is always wet and the atmosphere is damp; that there is nothing of an inflammable nature in this story; that as to the 1st story, the cooler rooms are of fireproof construction, used for the storage of meat; that the atmosphere is wet and damp, that sprinkler protection is provided inside cooler rooms at each door opening; that the bull pen is of open joint nonfireproof construction and will be provided with a dry pipe automatic sprinkler system with heads spaced according to the conventional stagger, commonly used under open joist ceilings, instead of the progressive stagger, as required by Section 15.18.3 BC; that in a few minor cases in the main building, heads have been spaced on wood sheathing on joists and on open joists in the conventional stagger system. A dry pipe valve (Type A) provided with an accelerator device having a capacity of 528 heads is not excessive and is permissible under Section 15.31.8 BC.

Resolved, that the decision of the borough superintendent, acting on Applic. No. 5775-38, be and it hereby is *modified,* and that the appeal be and it hereby is *granted,* permitting the omission of the sprinkler heads in the boiler room, cooler rooms, wet process rooms and similar rooms, as approved by the New York Fire Insurance Exchange, *including the omission of sprinkler heads in spaces now existing in the basement, used for hide storage and, permitting* the proposed 528 heads to be on a single dry pipe valve, provided the requirements of Rule 39 of the Sprinkler Rules of the Board of Standards and Appeals, having application to this factory building, are complied with; that the sprinkler spacing may be approved if same complies with the Sprinkler Rules of the Board of Standards and Appeals as to joisted and smooth ceilings; that in all other respects, the requirements of the resolution of the board under Cal. No. 57-37-S shall be complied with.

*Correction—The words *"including the omission of sprinkler heads in spaces now existing in the basement, used for hide storage,"* inserted in line 50 of resolution.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

RULES GOVERNING THE INSTALLATION OF INTERIOR FIRE ALARM SIGNAL SYSTEMS, ADOPTED BY THE BOARD OF STANDARDS AND APPEALS, SEPTEMBER 27, 1917, AMENDED DECEMBER 6, 1917 AND FEBRUARY 7, 1918 AND REVISED DECEMBER 11, 1936.

[108-16-SR]

Rules for Interior Fire Alarm Signal Systems

Authority: Sections 718A and 718B of the Charter of the City of New York to carry into effect the provisions of Chapter XII, Section 20 of the Code of Ordinances and the provisions of Section 279 of the Labor Law.

Scope of Rules

These rules apply to all hotels, as defined in the Code of Ordinances and the Multiple Dwelling Law; to all lodging houses having more than 15 sleeping rooms, or accommodating more than 15 lodgers above the first or ground story; to all public and private hospitals and asylums having more than 15 rooms, or accommodating more than 15 patients or inmates above the first or ground story; to all nurseries accommodating more than 30 children, or having a Board of Health permit for the accommodation of more than 30 children; to all Turkish or other special treatment bath houses where there are sleeping accommodation for more than fifteen persons on the premises; to all department stores having two or more departments where the public is admitted above the second floor; to all public schools, and to all single and tenant factory buildings, as defined in the Labor Law and specifically required by Section 279 of said Law.

Law

Section 279. Fire Alarm Signal Systems and Fire Drills:

1. Fire alarm signal systems. Every factory building over two stories in height in which more than twenty-five persons are employed above the ground floor shall be equipped by the owner thereof with a fire alarm signal system having a sufficient number of signals clearly audible to all occupants of the building, and so arranged as to permit the sounding of all the alarms within the building whenever the alarm is sounded in any portion thereof. Such system shall be maintained in good working order and no person shall tamper with same or render ineffective any portion thereof except to repair it. A person discovering a fire shall cause an alarm to be sounded immediately. The board of standards and appeals in the city of New York, may make rules and regulations prescribing the number, character and location of the signals and the method and character of the installation, including that of all appliances in connection therewith.

3. Exceptions. Subdivisions one and two of this section shall not apply to a building in which every square foot of the floor area on all stories is protected with an automatic sprinkler system, having two adequate sources of water supply and approved by the public authorities having jurisdiction thereof, and in which also the maximum number of occupants of any one floor does not exceed by more than fifty percentum the capacity of the exits, as determined by subdivisions one, two and three of section two hundred and seventy-eight, in addition to the prescribed occupancy under subdivisions five, six and seven of said section. If the commissioner after investigation determines that the spirit of this chapter is observed and public safety secured, he may permit in place of the automatic sprinkler system before specified, an automatic sprinkler system having one adequate source of water supply and approved by the public authorities having jurisdiction thereof.

Chapter 12, Article 21, Sub-division 2.

Interior Fire Alarms:—In every hotel, lodging-house, public or private hospital or asylum, department store, and public school, there shall be placed and provided, when required by the fire commissioner, an adequate and reliable electrical or other interior alarm system, to be approved by the said commissioner, by means of which alarms of fire or other danger may be instantly communicated to every portion of the building. The fire alarm apparatus and all other appliances placed or kept within any of said buildings for the purpose of preventing or extinguishing fires, or for affording means of escape therefrom in case of fire, shall be kept at all times in good working order and proper condition for immediate use, and any member of the uniformed force or authorized representative of the Fire Department may enter any of the said buildings at any time, for the purpose of inspecting such apparatus or appliances. (Amended by ords. effective Sept. 18, 1917, and Jan. 7, 1918.)

Rule 1. Definition of Terms

1.1 The term "non-coded closed circuit fire alarm signal systems" shall mean a fire alarm signal system consisting of sending stations and signaling devices operated on supervised closed electric alternating current circuits, so arranged that the operation of any station will automatically sound the signaling devices throughout all portions of the building.

1.2 The term "coded closed circuit fire alarm signal systems" shall mean a fire alarm signal system consisting of sending stations and signaling devices operated on supervised closed electric circuits which transmits rounds of coded signals to indicate the floor or portion of the same from which the alarm was sent.

1.3 The term "heretofore" shall mean before December 31, 1936.

1.4 The term "hereafter" shall mean after December 31, 1936.

1.5 The term "approved" shall mean approved by the Board of Standards and Appeals.

1.6 The term "commissioner" shall mean the commissioner of the department specifically charged with the enforcement of law relating to interior fire alarm systems in the City of New York.*

*NOTE: At present the Commissioner of the Department of Buildings in each of the five boroughs enforces the law through their respective divisions of Fire Prevention by virtue of Chapter 764, Sec. 407, subdiv. 2, Greater New York Charter, as amended by the Laws of 1933.

Rule 2. General

2.1 All fire alarm signal systems and devices shall be approved by the Board of Standards and Appeals.

2.2 All devices and equipment that have been approved by the Board, shall have securely fastened thereon, a manufacturer's plate bearing the words "Approved by the Board of Standards and Appeals—No.....", together with any other electrical data that the Commissioner may require.

Rule 3. Examination and Approval of Plans

3.1 Before the installation or extension of any fire alarm system, specifications and plans thereof, showing complete details of the proposed installation, shall be submitted by the owner or his agent to the Commissioner for examination and approval.

RULES

Rule 4. Classification

4.1 Fire alarm signal systems shall be classified as follows:

(a) Non-coded closed circuit fire alarm systems.

(b) Coded closed circuit fire alarm systems.

4.1.1 The code numbers that are used shall be submitted for approval to the Commissioner and shall be sounded at least four (4) times for each operation of the sending station.

4.2 A non-coded closed circuit system shall be so arranged that the operation of any station will automatically sound the signaling devices until hook is restored to its original position; and in the break-glass type until the glass has been replaced.

4.3 Coded closed circuit systems shall be divided into three (3) classes:

Class 1—General Systems.

Class 2—Pre-signal or dual operation systems.

Class 3—Unit and general systems—or Duplex systems.

Special systems.

4.4 Class 1 system shall be a general alarm system of the coded closed circuit type so arranged that the operation of any station will cause the signaling devices to sound the code number of that station at least four (4) times throughout the entire building.

4.5 Class 2 system shall be a pre-signal or dual operation system of the coded closed circuit type so arranged that the operation of any station will cause the sounding of the signaling devices located in the engine room, elevator shafts, basement or other places in the building where the members of the fire brigade work or assemble.

4.5.1 Approved means shall be provided at each station, so arranged that a subsequent operation of any station shall cause the sounding of all signaling devices throughout the building.

4.5.2 This subsequent operation shall be performed with the aid of a key or plug designed so as to prevent unauthorized sounding of the general alarm.

4.5.3 The pre-signal or dual operation key or plug shall be so designed that it can be readily identified by the person whose duty it would be to use same.

4.6 Class 3 system shall be a unit and general alarm or Duplex system of the coded closed circuit type so arranged that the operation of a station within a unit will cause all of the signaling devices in that unit and all of the signaling devices on the general alarm circuit to sound the code numbers of the unit and zone at least four (4) times.

4.6.1 An approved register and time stamp may be used in connection with a Class 3 system when approved by the Commissioner.

4.6.2 The register, if of closed circuit type, shall be operated from a separate closed circuit control board or from separate panel isolated by barrier from main control panel in main control board cabinet.

4.6.3 Approved closed circuit trouble and unit annunciators shall be installed as part of all Class 3 systems when required by the Commissioner.

4.7 Special systems shall include a complete Class 1, 2 or 3 system supplemented by special circuits for the operation of other fire alarm devices in the systems; or electric control systems for stopping machinery, closing doors or ventilators as may be required by the Commissioner; or to call the central station of a private operating company or the fire department. Automatic fire detecting systems may be connected to operate an interior fire alarm system when connected thereto by an approved coded transmitter. In no case shall the transmitter be considered to replace the standard approved interior fire alarm station, except where a transmitter has been approved for both purposes. The special control circuits shall be separate and distinct from the fire alarm system but shall be brought into action whenever the fire alarm system is set in operation.

Rule 5. Systems Permitted in Factory and Other Buildings

5.1 Non-coded closed circuit fire alarm signal systems shall be permitted only in a factory building not exceeding five (5) stories in height having not more than twenty-five hundred (2500) square feet in area in any one story and having not more than one hundred (100) persons in a single factory; nor more than fifty (50) persons in a multiple tenant factory above the first or ground floor.

5.2 Coded closed circuit systems shall be required in a factory building exceeding the requirements of Rule 5.1.

5.3 Special fire alarm signal systems shall be permitted in factory buildings at the direction of the Commissioner.

5.4 Coded closed circuit systems shall be required in all other types of buildings requiring an interior alarm system.

Rule 6. Installation and Construction Requirements

6.1 All work in connection with the installation of a fire alarm signal system shall be performed in a neat and workmanlike manner to the satisfaction of the Commissioner.

6.2 In any fire alarm system there shall be not more than fourteen (14) direct nor more than ten (10) alternating current gongs or other approved sounding devices connected in one circuit.

6.3 There shall not be in any fire alarm system more than twenty (20) stations connected to one circuit or loop.

6.4 All gongs and signaling devices shall be located not less than eight (8) feet to the center above the floor.

6.5 All fire alarm stations shall be located five (5) feet three (3) inches from handle to floor.

6.6 An approved instruction card properly marked and framed under glass shall be installed at each fire alarm station.

6.7 All materials and devices used in fire alarm signal systems shall be securely fastened in position in a manner satisfactory to the Commissioner.

6.8 For fastening to masonry walls, through bolts, metal expansion shields or toggle bolts shall be used.

6.9 Wood screws shall be used for fastening equipment to wood surfaces.

6.10 The use of nails or wood or fibre plugs is prohibited.

6.11 When fire alarm apparatus is mounted upon a wooden back board, such back board shall be not less than seven-eighths (7/8) inch thick, impregnated with a non-absorptive compound. The back

board shall be so mounted as to provide an air space of at least one-quarter (¼) inch between the back board and the wall for free circulation of air.

6.12 All electrical conductors shall be installed in standard heavy wall, rigid iron or steel conduits protected with an approved rust preventive. Armored cable or flexible conduits will not be accepted.

6.13 All conduits shall be grounded to a water pipe by approved ground clamps with a conductor equal to the largest conductor used on the system and the smallest size ground conductors used shall not be less than No. 10 B. & S. gauge.

6.14 Splices in electrical conductors in vertical risers shall not be permitted. Splices when necessary in horizontal runs, shall be made in approved junction boxes and shall be properly soldered and taped. The cover of the junction box shall be painted fire department red to indicate that it contains splices. The use of wire nuts or other solderless splicing devices shall not be permitted.

6.15 Electrical conduits shall enter only at the side or the bottom of the control cabinet.

6.16 In coded fire alarm systems using break glass type stations, at least one (1) extra glass shall be provided for each station in the system.

6.17 All openings in walls, floors or ceilings where conduits pass through, shall be properly fire stopped.

6.18 Conduits shall contain only conductors used in connection with the fire alarm system.

6.19 When special care is taken to insure the wires against injury, four (4) wires may be placed in one-half (½) inch rigid iron conduits. Conductors shall consist of not less than No. 14 B. & S. gauge copper wire, having rubber insulation wall not less than three-sixty-fourths (3/64) inch thick.

6.20 Where necessary to assure reliable service, connections of conductors to terminals or binding posts shall be soldered. The use of a blow torch for soldering connections to terminals shall not be permitted.

6.21 Where wires pass underground from one building to another, they shall be enclosed in conduits and shall be lead encased. Wires between buildings, when not run in conduit, shall be at least equivalent in conductivity and tensile strength to No. 8 B. & S. gauge copper wire for box and signaling circuits and shall be supported at least every seventy-five (75) feet on approved glass insulators and brackets, and be protected by approved lightning arrestors when required by the Commissioner. As far as possible, they shall be run under, rather than over, electric light or power wires.

Rule 7. Sending Stations

7.1 There shall be at least one (1) fire alarm sending station in each story of any building requiring a manual fire alarm signal system, located in a natural path of escape from fire at a readily accessible location designated by the Commissioner, which always shall be kept unobstructed. Additional sending stations shall be installed so that no point on any floor in a non-fireproof building shall be more than one hundred (100) feet distant from the nearest sending station upon such floor. In fireproof or sprinklered buildings, the distance shall not be more than one hundred and fifty (150) feet.

Rule 8. Sounding Devices

8.1 Sounding devices shall be sufficient in number to be clearly audible to all the occupants of the building.

Rule 9. Sub-divided Buildings

9.1 Where a building is sub-divided by fire walls, each section shall be deemed a separate building for the purpose of fire alarm signal system installations. One control board may be used, if so arranged, as to operate the signaling devices in each section of the building independently; or may be operated as one unit when deemed necessary by the Commissioner.

Rule 10. Mixed Occupancy

10.1 In buildings requiring fire alarm signal systems, of which parts are occupied by other than factory tenants and in which the conditions of construction and occupancy warrant the establishment of a local fire brigade, the Commissioner may accept dual operation systems.

Rule 11. Existing Installations

11.1 Fire alarm signal systems heretofore installed in buildings in the City of New York and installed in accordance with the rules then in force, shall be accepted as long as they are maintained in proper working order.

Rule 12. Sources of Electrical Energy

12.1 Sources of electrical energy used in operating fire alarm signal systems shall be:

1. Generated electric power, not exceeding a potential of 250 volts, including:
   (a) Central Stations
   (b) Isolated Plants
2. Storage battery power

12.1.1 Either source of power shall be used under conditions and limitations as set forth by the Commissioner.

12.2 One source of energy shall be connected to the fire alarm system at all times. All auxiliary sources of energy when required shall be so arranged and controlled by an automatic switch that when the primary source of energy fails, the secondary source will be automatically connected to the fire alarm signal system. Intermediate devices are prohibited between the fire alarm control board and the source of current supply, except where specifically approved by the board for the purpose intended.

Central Stations

12.3 When the energy for a fire alarm signal system is supplied by a central station power system it shall be accepted as the sole source of supply; connections shall be made on the street side of the service switch except that in cases where the master meter is within thirty (30) feet of the main switch of the premises, permission may be given by the Commissioner to connect to the house side of the meter when a certificate of recent date from an authority of competent jurisdiction has certified that the electrical wiring throughout the premises is in a safe condition. When a house side connection is made, the fire alarm cutout shall be the first connection and as near as possible to the meter. Same shall be enclosed in a locked or sealed metal cabinet, painted fire department red and stenciled "Interior Fire Alarm." Fuses shall be of the enclosed cartridge type. Screw plug fuses will not be accepted. The cutout shall be a three pole cartridge fuse cutout with neutral fuse replaced by a solid copper bar. The smallest size fuse used on a fire alarm system shall be fifteen (15) amperes.

Isolated Plants

12.4 Energy from isolated electric light and power plants shall be used for fire alarm signal systems only when there is a more than one generating unit and the plant is always in operation when the building is occupied. When only one generator unit is employed, the source of energy shall be supplemented by storage battery or other auxiliary service. The fire alarm service connection shall be taken from the main bus of the house switchboard and installed in accordance with the service requirements under central stations. When a house side connection is made, the fire alarm cutout shall be the first connection and as near as possible to the meter. Same shall be enclosed in a locked or sealed metal cabinet, painted fire department red and stenciled "Interior Fire Alarm." Fuses shall be of the enclosed cartridge type. Screw plug fuses will not be accepted. The cutout shall be a three pole cartridge fuse cutout with neutral fuse replaced by a solid copper bar. The smallest size fuse used on a fire alarm system shall be fifteen (15) amperes.

Storage Battery

12.5 When a storage battery equipment is used as the sole source of current for a fire alarm signal system, the storage battery shall be provided in duplicate; or an approved type trickle charger may be substituted for the duplicate storage battery located in a room sufficiently ventilated. Such installations shall be equipped with a switchboard or panel of approved material on which are mounted volt meters, ammeters, circuit breakers, fuses, resistances, switches, starting devices for motors, field rheostats for generator and other apparatus required for charging and operating the battery.

12.6 Storage batteries shall be so located and ventilated as to avoid danger of sparking contacts igniting flammable gases or vapors.
In no case shall a storage battery be located in the same room with a gas meter.

Rule 13. Acceptance Test

13.1 Upon completion of a fire alarm signal system and as a condition of acceptance, a test of the entire installation shall be made under the direction of the Commissioner.

13.2 All systems shall show an insulation resistance of not less than ten (10) megohms with signaling apparatus disconnected.

13.3 The owner or contractors shall furnish all the necessary tools, instruments and labor to conduct this test when required by the Commissioner. The contractor shall notify the Department having jurisdiction in writing at the start and upon completion of the installation.

Rule 14. Daily and Monthly Test

14.1 Every fire alarm system shall be tested each morning immediately after the hours of starting work. No such system shall be used for any other purpose, except that the daily dismissal signals may be given if authorized by the Commissioner. The use of the system for fire drill purposes may be considered a test of those parts of the system actually used.

14.2 Each sending station shall be tested at least once a month.

14.3 All apparatus requiring winding shall be rewound after each operation and kept in normal condition.

14.4 A complete record of monthly tests, fire drills and other operations of fire alarm systems shall be kept subject to inspection by the Commissioner.

Rule 15. Maintenance

15.1 Interior fire alarm systems shall be maintained in operating condition at all times, unless the buildings are vacated for a period longer than one week. If the system becomes inoperative at any time, it shall be the duty of the owner or the person designated by him to be in charge of the system to notify all the occupants of the building and to take immediate steps to have the system restored to working order. He shall also place cards on the fire alarm boxes indicating that the system is out of order.

15.2 If, for any reason, it becomes necessary to disconnect the source of current of any system, the owner or other responsible person shall notify the Commissioner in advance of such disconnection, stating the reason therefor.

15.3 In systems using break glass ype stations, at least one (1) extra glass for each station in the system shall be kept on the premises.

Rule 16. Alarm Boxes

16.1 In fire alarm signal systems the metal case enclosing exposed or surface alarm bc xes shall be of cast iron and drilled and tapped to receive the conduit. When exposed to moisture the box shall be enclosed in a suitable weather-proof outer shell. In new buildings, approved back boxes embedded in the wall may be used and the conduits shall be properly secured by lock nuts and bushings.

16.2 All current carrying parts shall be insulated from parts of opposite polarity with approved insulating material.

16.3 All coded pull lever type stations shall be fitted with a door to protect the pull lever against accidental injury. Such door shall have a handle rigidly secured thereon and be so constructed as to open readily. The wording "In Case of Fire Open Door and Pull Down Lever" in raised letters or equivalent instructions shall appear on the door.

16.4 All break-glass type fire alarm boxes shall be provided with suitable hammers on chains of approved type attached to or near the boxes with which the glass can readily be broken; or other methods may be used to break the glass when approved by the Commissioner.

16.5 All break-glass boxes shall have in raised letters on the fronts, the words "Fire Alarm—In Case of Fire Break Glass," and such additional instructions as may be necessary to send an alarm.

16.6 The box or station shall be so designed that once started, the proper transmission of a complete set of signals cannot be interfered with by manipulation of its starting device.

16.7 Each closed circuit coded box or station shall be arranged to send a definite code of signals to indicate the floor or portion of same on which it is located.

16.8 Not less than three (3) or more than twenty (20) taps or blasts shall be given at each revolution of the code wheel.

16.9 The code wheel shall revolve at least four (4) times for each operation of its starting device and be of metal properly insulated from ground.

16.10 Boxes or stations used in systems in which whistles, vibrating bells or horns are employed shall be so timed that the sounding devices will give the code signal clearly.

16.11 Contact points shall be in multiple.

16.12 Contact points and contacts of the testing devices

shall be of silver or other approved material and be of the scraping type, secured in a substantial manner to phosphor bronze or other approved material springs, and be so designed as to positively break a circuit carrying one-tenth (1/10) ampere at two hundred and fifty (250) volts under actual working conditions.

16.13 Lever boxes shall be so designed as to automatically wind when the lever is pulled for an alarm. Boxes requiring glass replacements shall be so arranged that replacement cannot be made without resetting mechanism for another alarm.

16.14 Where it becomes necessary to install more than one set of contacts operating from code wheel, permission in writing in advance must be obtained from the Commissioner. This shall not include pre-signal features.

16.15 The box shall have plainly marked thereon its code signal number.

Rule 17. Non-Coded Boxes

17.1 Non-coded closed circuit fire alarm stations may be operated by a break-glass or pull lever device so arranged that the alarm cannot be interfered with except by resetting or replacement of the glass by an authorized person.

17.2 The construction and materials shall be equal to that of the standard approved type coded closed circuit station except that the contacts shall be of ample capacity to safely carry the entire operating current of the gong circuit without excessive heating.

Rule 18. Station Testing Devices

18.1 Each fire alarm system shall be provided with an auxiliary device to test the signaling devices, located in one of the alarm boxes or mounted on the control board Such testing devices shall be arranged to make the test without operating the break wheel of the box or interfering with the dual operating feature.

18.2 Provision shall be made for a silent test of coded alarm box mechanisms without operating the signaling devices. Such device shall be designed to prevent any persons except those in authority from operating the same and to prevent the possibility of the box being left inoperative after the test.

Rule 19. Supervising Current

19.1 A small current flow to constantly supervise each circuit shall be maintained. A milliammeter, or other approved current indicator shall be provided and so connected as to indicate the supervising current.

19.2 The supervising circuit shall be provided with a trouble bell operating on open circuit arranged to ring continuously in case of failure of the system. The trouble bell shall be so located that it will be within audible range of some responsible person in the building and shall be connected to the electric light or power service in the building. Permission may be granted by the Commissioner to connect the trouble bell to a battery of approved type.

19.3 Trouble bells shall not be fitted with silencing switches except in such a manner that the act of silencing the bell by the operation of the switch, automatically and positively transfers the trouble signal to a red lamp on the control board fed by some auxiliary source of current supply. This auxiliary source of current shall be a house lighting circuit or any other approved source.

19.4 The trouble bell shall be of an approved design of the vibrating type and give a distinctive signal.

Rule 20. Protection of Sending and Sounding Devices

20.1 In fire alarm signal systems, all moving parts of sending stations and sounding devices shall be enclosed in metal casings, made dust-proof and damp-proof when necessary, and clearly marked with instructions for use.

20.2 Whenever necessary, hammer rods of gongs shall be suitably protected against mechanical injury or derangement by the use of a guard or other suitable means. If subject to mechanical injury, the entire device shall also be enclosed in a protecting case made of approved wire netting or perforated metal. All casings shall be insulated from current carrying parts, but shall be grounded to the conduit.

Rule 21. Standards of Electric Alarm Apparatus

21.1 All electrically actuated apparatus used in fire alarm systems shall be so designed and constructed that it will operate satisfactorily at a current flow of twenty-five (25) per cent above or below the normal operating current.

Insulation

21.2 Insulating materials used in electric fire alarm signal systems shall be varnished cambric, bakelite, mica or other approved insulating material.

21.2.1 The use of fibre or paper as an insulating material for fire alarm signal systems shall not be permitted.

21.3 The insulating material used on electric fire alarm signal systems shall be capable of withstanding an insulation break-down test of one thousand (1000) volts A. C. plus twice operating voltage applied for one (1) minute.

Electro-Magnets

21.4 Electro-magnet windings shall be impregnated with an insulating moisture repelling compound or shall be of silk enameled wire.

21.5 Electro-magnet coils to be used on alternating current when composed of enameled wire shall have an additional approved insulation on each wire. The coils may be of the form wound type.

21.6 A protective cover to prevent mechanical injury shall be provided over the entire coil.

21.7 Electro-magnet coils shall be securely fastened to prevent floating.

21.8 Electro-magnet cores shall be of the best grade of ferrous material so as to reduce to a minimum the possibility of failure due to residual magnetism.

21.9 Electro-magnet cores for use on alternating current shall be of laminated construction or other approved method to prevent heating and promote efficiency.

21.10 Electro-magnet cores of relays and gongs shall be treated to prevent corrosion.

21.10.1 Paint or varnish for this purpose shall not be used.

21.11 Non-magnetic freeze pins shall be used which will prevent two magnet surfaces coming in actual contact.

Gongs

21.12 Gong shells shall be pinned to prevent turning and then securely fastened to its support by a machine cap screw at least three-eighths (3/8) inch in diameter.

21.13 Gong shells shall be covered with an approved rust preventive.

21.14 The gong shell support and gong frames shall be cast in one piece.

Wiring

21.15 All connections shall be properly protected, securely made and where subject to motion shall be of approved flexible wire.

21.16 All wiring of control board, station and gong circuits shall be at least No. 14 B. & S. gauge.

21.17 Binding posts shall be of such a character that the wire is held between two flat surfaces.

21.18 Binding posts shall be mounted on an approved terminal block or insulating strip spaced not nearer than one-half (½) inch to each other, unless separated by approved barriers.

Relays

21.19 The armatures of all relays shall depend on gravity or magnetic attraction for their operation.

21.19.1 This action may be assisted by flat type springs when approved by the Commissioner.

21.19.2 The use of spiral springs is prohibited.

21.20 Adjustments shall be of such a character that they can be securely locked.

21.21 Contact points shall be ample in area not only to take care of current used in operation but to insure long life and shall be of pure silver, or other approved material, properly riveted to their support.

21.22 Contact arms shall be of phosphor bronze and be of the dead beat type.

21.23 Contact assemblies shall be of such a character that their operation will be of a scraping self-cleansing nature.

21.24 The use of condensers across contacts to absorb the arc or in any part of a fire alarm circuit is prohibited.

21.25 Relays shall be free from objectionable hum when used on alternating current.

Rule 22. Time Limit Delay Device

22.1 All gong circuits shall and special signal apparatus may when required by the Commissioner, be protected by a Time Limit Delay Device.

Note: This time limit delay device shall consist of a heating coil so designed that the normal operating current will have little or no effect upon a thermostatic bi-metal bar or strip contained therein. Any abnormal increase over operating current or the continued accumulative heating effect thereof after a period of not less than three (3) minutes nor more than twenty (20) minutes shall cause the thermostatic element to expand. The expansion of this element shall automatically open the source of current supply to the gongs or devices protected.

22.2 The operation of the time limit delay device shall cause the trouble bell to ring.

22.3 Time limit delay devices shall be so connected in the fire alarm circuit that their operation will not open the fire alarm box circuits.

22.4 Where due to the extent of the installation, it becomes necessary to install a number of time limit delay devices, the operation of a single time limit delay device shall not affect other sounding devices similarly protected.

22.5 A contactor relay to operate the sounding devices shall be provided on all direct current gong circuits exceeding three (3) and all alternating current gong circuits exceeding two (2) in number.

22.6 Gong circuits not requiring contactor relays shall be operated by contacts properly placed on the armature of the box circuit relay.

22.7 A separate time limit delay device, contactor relay, contactor supervisory relay and gong supervisory relay shall be provided for each four (4) gong circuit or fraction thereof.

Switches

22.8 Triple pole, double throw, broken back knife switches properly supervised and connected to emergency resistors shall be provided on all box and gong circuits when they exceed three (3) in number.

Instruments

22.9 A separate approved milliammeter or other approved current indicating device shall be provided for the box circuit and each four (4) gong circuit on the control board when the gong circuits exceed three (3) in number. A separate milliammeter shall be provided to indicate the supervisory current of contactor relays and emergency switch circuits. This meter shall be known as the Board Meter.

Resistors

22.10 Resistors shall be mounted on the front or face of control panels and shall be of vitreous enameled type.

Note: Wire wound resistors when protected by a suitable metal guard may be used in special cases when approved by the Commissioner.

22.11 Ferrule or knife contact type resistors shall not be used.

22.12 A protective resistor shall be placed in the negative or live lead of all box circuits to protect the contacts of the boxes in the event of a ground.

22.12.1 This resistor shall be not less than three-hundred (300) nor more than seven hundred and fifty (750) ohms resistance.

Rule 23. Control Boards

23.1 All relays, current indicators, resistances, time limit delay devices and other apparatus used in connection with the operation and supervision of closed circuit fire alarm signal systems shall be properly mounted on a panel of approved material, in a metal cabinet provided with lock and key. The control board shall be located in a place subject to the least vibration, free from moisture, inflammable gases, dust and mechanical injury and under frequent view of a responsible occupant of the building delegated by the owner to be in charge.

23.2 Control board panels shall be of insulating material such as ebony asbestos, bakelite or other approved materials at least one-half (½) inch in thickness.

23.3 Control boards mounted in each cabinet shall be securely fastened in each corner.

23.4 Provision shall be made for ample wire gutter space around the panel.

23.5 Conduit knockouts shall not be provided in top of control board cabinet.

23.6 An approved wiring diagram of the alarm system and card of instruction properly marked and securely fastened shall be provided within the control board cabinet. When it becomes necessary to mount the diagram outside of the cabinet, the diagram shall be properly framed under glass.

23.7 All control board cabinets shall be provided with sight hole and glass panel to make meters on the inside of the cabinets visible from the outside.

23.8 Wires in gutter spaces shall be properly laced in a neat and workmanlike manner on all control boards having a capacity for more than three (3) gong circuits.

Rule 24. Battery Cabinets

24.1 All electric batteries for fire alarm signal systems shall be placed in substantial protecting cabinets thoroughly ventilated, elevated not less than one (1) nor more than five (5) feet above the floor and located in clean, dry and cool places where the temperature will not be less than forty (40) nor more than one hundred and ten (110) degrees Fahrenheit. Main battery cabinets shall be so constructed that the condition of the elements may be observed without disturbing the cells.

24.2 Metal battery cabinets shall be constructed of sheet iron or steel, not less than No. 14 U. S. gauge in thickness, properly reinforced by angle irons, with self-closing doors provided with lock and key and wood shelves not less than seven-eighths (7/8) of an inch thick, unless the battery is of the spray-proof type, properly fastened and secured to prevent sagging. The interior and the exterior of the cabinet shall be protected with three (3) coats of asphaltum compound, each coat to be thoroughly dry before the next is applied, or with baked enamel.

24.3 Wood battery cabinets shall be constructed of the first grade of kiln dried wood not less than seven-eighths (7/8) of an inch thick and shall be provided with self-closing door and approved lock. The shelves shall be not less than seven-eighths (7/8) of an inch thick properly fastened and secured to prevent sagging. The cabinet shall be of substantial construction painted on the interior with three (3) coats of asphaltum compound and on the exterior with three (3) coats of lead paint or two (2) coats of varnish.

24.4 Storage batteries may be placed on enamaled metal battery racks, provided the batteries are installed in a place where they will not be subject to mechanical injury, and will be ventilated as required in Rule 12.6.

Rule 25. Painting of Equipment

25.1 All enclosing cases for fire alarm apparatus shall be finished in fire department red, except where special permission is given by the Commissioner to deviate from this requirement.

Rule 26. Closed Circuit Annunciators

26.1 Annunciators used in connection with Class 3 fire alarm systems shall be of an approved closed circuit type.

26.2 The annunciator shall have approved type of relays equipped with a suitable target, shutter or other indicating device.

26.2.1 The indicating device shall have marked thereon a suitable description of the purpose it serves.

26.3 The printed designation on unit or building annunciator's indicators shall be legible. The mechanism shall be so arranged that once operated the indicating device shall be reset manually.

26.4 A unit annunciator shall be so designed that the operation of any station in the unit shall cause a visible and audible signal.

26.5 The unit annunciator shall be actuated by contact on code wheel of the fire alarm station or by contact on a relay connected to the fire alarm box circuit. In no case shall the station fire alarm circuit be used for this purpose.

26.6 Trouble annunciators shall be so arranged that the indicating device will reset automatically when cause of trouble has been removed.

26.7 The trouble annunciator shall be so designed that it will indicate visible and audible trouble signals in the event of trouble occurring on any circuit, control board or unit annunciators.

26.8 The trouble annunciator shall be actuated by the operation of contacts on all supervisory relays.

26.8.1 Each relay of this annunciator shall be provided with two (2) sets of contacts so arranged that one will operate the one hundred and ten (110) volt trouble signal, the other set to actuate the register if a register is used.

26.9 A trouble buzzer switch and lamp shall be mounted on the inside of each unit annunciator cabinet on the panel.

26.10 A trouble bell, switch and lamp shall be mounted on the inside of each trouble annunciator cabinet on the panel. Trouble bell may be placed at a distance from the annunciator by special permission of the Commissioner.

26.11 Relay drops of annunciator shall be so designed that vibration from without or that caused by the trouble signal within will not operate the indicating devices.

26.12 All annunciators shall be installed in a separate red enameled steel cabinet provided with an approved lock and key.

26.13 Annunciators shall be properly marked in white letters at least one (1) inch high with the words: "Fire Alarm Annunciator" Zone — or "Fire Alarm Trouble Annunciator," whichever the case may be.

Rule 27. Licensed Contractors

27.1 No person shall install, alter or repair or cause to be installed, altered, or repaired electrical wiring or apparatus for fire alarm systems in any building, except a person holding a license, or a special license in accordance with Chapter 9 of the Code of Ordinances of the City of New York.

The enforcing authority shall not approve any installation, alteration or repair done in violation of this rule.

Rule 28. Used or Rebuilt Apparatus

28.1 Used apparatus shall not be re-used for any interior fire alarm system under these Rules and Regulations until the same has been reconditioned in the shop of a reliable manufacturer building interior fire alarm apparatus which has been approved by the Board of Standards and Appeals. Approval in writing shall be obtained from the enforcing authority prior to installation. The enforcing authority shall not approve for use, used or reconditioned apparatus that may not give satisfactory service.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Certiorari Order Served on Board.

Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting, July 12, 1938, at 10 A. M., Affecting Calendar Numbers 338-38-BZ, 463-38-BZ, 185-30-BZ, 425-38-BZ, 420-37-BZ, 42-38-BZ and 27-33-BZ.

Minutes of Regular Meeting, July 12, 1938, at 2 P. M., Affecting Calendar Numbers 266-36-BZ, 388-37-BZ, 461-37-BZ, 1254-23-BZ, 633-26-BZ, 67-37-BZ, 356-38-A, 306-38-A, 594-38-A, 494-38-A, 505-38-A, 484-38-A, 412-38-A, 495-38-A, 502-38-A, 551-38-A, 598-38-A, 346-38-A, 88-33-A, 507-38-S, 550-38-S, 521-37-S, 667-28-SA, 400-32-SA, 167-38-SA, 174-38-SA, 270-38-SA, 345-38-SA, 426-38-SA, 497-38-SA, 431-38-SM and 40-32-SR.

Corrections Affecting Calendar Numbers 717-29-BZ and 556-38-A.

Revised Certificate of Occupancy Form.

Fire Retarding Rules for Garages, etc.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to July 12, 1938

Cal. No. *Department* *Premises Affected*

574-38-BZ.....H.B.Bx.....175 Echo place, north side, 59.14 ft. west of Grand concourse (Block 2808, Lot 24), The Bronx. N.B. 308-38.

575-38-A.....F.D.....Barge, 1500 ft. off shore, Pleasant Bay Park, on Baxter Creek, foot of Ferris avenue, The Bronx. 13365-LC.

576-38-A.....H.B.B.....443-465 Dumont avenue, northeast corner Powell street (Block 3780, Lot 1 and part of 36), Brooklyn. Decision re Permit No. 5572-38.

577-38-SA.....Bradley "BNY" Trap, manufactured by Bradley Washfountain Co. Appliance.

578-38-SM.....Hy-Test Cement, manufactured by Hy-Test Cement Company. Material.

579-38-A.....H.B.Q.....243d street, west side, 220 ft. north of Hillside avenue, (Block No. Lot), Bellerose, Queens. N.B. 4798-38.

580-38-A.....F.D.....370 Eighth avenue, east side, 98 ft. 9 in. north of West 28th street (Block 778, Lot 75), Manhattan. 7846-LC & Decision.

581-38-A.....H.B.B.....564-586 Hegeman avenue, south side, between New Jersey avenue and Vermont street (Block 4324, Lots 1, 6 to 11, 20, 46 to 61), Brooklyn. App. No. 7505-38.

582-38-BZ.....H.B.Q.....222-45 to 222-47 Braddock avenue (Rocky Hill road) northwest corner of Sabre street (Block 7967, Lot 39 and part of 41), Queens Village, Queens. N.B. 2797-38.

583-38-BZ.....H.B.M.....1738-1748 Broadway, south east corner 56th street (Block 1027, Lot 23), Manhattan, Decision.

584-38-A.....H.B.B.....894-896a Quincy street, south side 28 ft. 6 in. west of Broadway (Block 1479, Lot 8), Brooklyn. App. 1972-38.

585-38-SM.....Marks Bros. Glass Bricks, manufactured by Marks Bros. Inc. Material.

586-38-A.....F.D.....15 Columbus circle, 1822-1850 Broadway and 2-8 West 61st street and 1-12 Central Park west (Block 1113, Lot 29), Manhattan. 548-LF & Decision.

587-38-A.....F.D.....1 East 51st street and 641-643 Fifth avenue northeast corner (Block 1287, Lot 1), Manhattan. 886-LF.

588-38-A.....H.B.Q.....Clifton street (46th street) east side, 450 ft. south of Creek street (56th drive); (Blocks 2553 & 2529, Lot 1), L. I. City, Queens. N.B. 4486-38.

589-38-BZ.....H.B.M.....303 West 51st street, north side, 58 ft. 10½ in. west of Eighth avenue (Block 1042, Lot 28½ and part of Lots 29, 30, 30½, 31, 32, 33, 33½ and 34), Manhattan. Decision.

590-38-A-WF..H.B.Q.....35-55 Prince street and 13-02 Northern boulevard, southeast corner (Block 4971, Lot 22), Flushing, Queens. N.B. 6515-37.

591-38-SA.....Kerogas Circulating Oil Burning Heater, Pot Type, Models 308A-2, 310A-2, 315-A, 320A-2, 325A, 330A-2 and 335A-2, Appliance.

592-38-SA.....Kerogas Radiant Oil Burning Heater, Pot Type, Models 300A-2, 301A-2, 304A-2, 305A-2, 302A-2 and 303A-2. Appliance.

593-38-SA. .....Sutherland Paper Oil Container. Appliance.

594-38-A.....H.B.M.....324-342 Fourth avenue, 25-33 East 24th street and 38-60 East 25th street (Block No. 854, Lots 1 to 41, inc.), Manhattan. Alt. 1889-38.

595-38-S.....H.B.M.....27-39 West 50th street, north side, 315 ft. west of Fifth avenue and 28-42 West 51st street (Block 1266, Lot 34), Manhattan. N.B. 14-38.

596-38-A...H.B.M. & F.D....342 West 14th street, 666-672 Hudson street and 339 West 13th street, northeast corner (Block 29, Lots 4 and 15), Manhattan. 38922-F and Viol. No. 2724-38 and Decision.

597-38-A.....H.B.Q.....37-28 30th street, north side, 70 ft. 4 in. east of 38th avenue and 214 Old Ridge road (Block 371, Lot 34), Astoria, Queens. Decision re No. 2615-38.

598-38-A.....H.B.B.....15-25 Crooke avenue, north

CALENDAR

side, 281 ft. 1¼ in. west of St. Pauls place (Block 5058, Lots 57-60), Brooklyn.
App. 9854-38.

599-38-SM.....Ardor Fireproofed Wood and Trim, manufactured by Ardor Company. Material.

600-38-BZ.....H.B.Bx.....3191-3195 Bainbridge avenue, west side, 125 ft. north of East 206th street (Block 3335, Lots 175 and 17), The Bronx. Decision.

601-38-A.....H.B.Q.....84-01 to 84-10 Boardwalk, northwest corner Beach 84th street (Block 620, Lot 80), Rockaway Beach, Queens.
Alt. 3179-38.

602-38-A.....F.D.....319-327 McKibben street, north side, 120 ft. west of White street and 318-326 Boerum street (Block 3083, Lot 11), Brooklyn.
74564-LC & Decision.

603-38-A.....F.D.....547-571 Watkins street, north east corner Lott avenue (Block 3618, Lots 1 and 3), Brooklyn. 546-LF.

604-38-SA.....Sharpe Spray Gun, Model C-21. Appliance.

605-38-SA.....General Electric Oil Burner, Types LA3 and LA6.
Appliance.

606-38-A.....H.B.....115 Amity street, north east corner of Henry street (Block 291, Lot 1), Brooklyn. Decision M.D. Law.

607-38-A.....H.B.....117 Amity street, north side, 16 ft. 10 in. east of Henry street (Block 291, Lot 52), Brooklyn.
Decision M.D.L.

608-38-A.....H.B.....119 Amity street, north side, 33 ft. 4 in. east of Henry street (Block 291, Lot 51), Brooklyn. Decision M.D.L.

609-38-A.....H.B.....121 Amity street, north side, 49 ft. 10 in. east of Henry street (Block 291, Lot 50), Brooklyn. Decisions M.D.L.

610-38-A.....H.B. .....125 Amity street, north side, 82 ft. 10 in. east of Henry street (Block 291, Lot 48), Brooklyn. Decisions M.D.L.

611-38-A.....H.B.....127 Amity street, north side, 99.4 ft. east of Henry street (Block 291, Lot 47), Brooklyn. Decisions M.D.L.

612-38-A.....H.B.....110-118 Amity street, south east corner Henry street (Block 296, part of Lot 5), Brooklyn. Decisions M.D.L.

613-38-A.....H.B.....120 Amity street, south side, 90 ft. east of Henry street (Block 296, Lot 10), Brooklyn. Decisions M.D.L.

614-38-A.....H.B.....122 Amity street, south side, 117 ft. east of Henry street (Block 296, Lot 11), Brooklyn. Decisions M.D.L.

615-38-A.....H.B.....149 Congress street, north side, 90 ft. east of Henry street (Block 296, Lot 4), Brooklyn. Decisions M.D.L.

616-38-A.....H.B.....359 Henry street, east side, 50 ft. south of Amity street (Block 296, part of Lot 5), Brooklyn. Decisions M.D.L.

617-38-A.....H.B.....361 Henry street, east side, 73 ft. south of Amity street (Block 296, part of Lot 5), Brooklyn. Decisions M.D.L.

618-38-A.....H.B.....363 Henry street, east side, 74.5 ft. north of Congress street (Block 296, Lot 4), Brooklyn. Decisions M.D.L.

619-38-A .....H.B.M.....134 West 74th street, south side, 340 ft. west of Columbus avenue (Block 1145, Lot 47), Manhattan.
Decision on Alt. 155-38.

Restored to Calendar

667-28-SA.....Reif-Rexoil Domestic and Industrial Fuel Oil Burner, Appliance.

521-37-S.....H.B.Bx.....2999 Third avenue, west side, 51.44 ft. north of East 154th street (Block 2376, Lot 51), Borough of The Bronx,
Alt. 743-37.

346-38-A.....H.B.M.....2473-2475 Broadway and 252-254 West 92nd street, southwest corner (Block 1239, Lot 55), Borough of Manhattan, Alt. 831-38.

DESIGNATIONS: **H.B.**—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department and **F.D.**—Fire Department.

CERTIORARI ORDER SERVED ON BOARD OF STANDARDS AND APPEALS

On July 19, 1938, Harry C. Kayser, attorney, served on Board Petition and Order of Certiorari on behalf of Ernest Flagg, owner, re decision of Board of June 28, 1938, affirming the decision of the Tenement House Commissioner of Oct. 5, 1937, holding certain uses conducted at 7202-7224 Ridge boulevard, 158-190 72nd street and 181-191 73rd street, Borough of Brooklyn, to be business uses in a residence district and therefore prohibited, Cal. No. 530-37-BZ.

CALENDAR

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules....May	31, 1938—Vol. 23, No. 22
Certificate of Occupancy, approved form .....July	19, 1938—Vol. 23, No. 29
Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)...Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules .....Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
Factory Exit Rules.....May	24, 1938—Vol. 23, No. 21
Fire Alarm Rules (Interior).....July	12, 1938—Vol. 23, No. 28
Fire Drill Rules.....June	21, 1938—Vol. 23, No. 25
Fire Retarding Rules for Garages, etc. .....July	19, 1938—Vol. 23, No. 29
Fireproof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules .....May	3, 1938—Vol. 23, No. 18
Gas Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection .....June	5, 1928—Vol. 13, No. 23
Oil Burner Rules.....June	7, 1938—Vol. 23, No. 23
Paint, Varnish and Lacquer Spraying Rules .....April	26, 1938—Vol. 23, No. 17
Platform Trucks, Specifications for.Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules .....Aug.	3, 1937—Vol. 22, No. 31
Procedure, Rules of.....Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract C.O.June	14, 1938—Vol. 23, No. 24
Smoking in Factories, Rules for....June	28, 1938—Vol. 23, No. 26
Sprinkler Rules .....June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting...June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves .....Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....June	28, 1938—Vol. 23, No. 26
Fuel Oil Burners for Domestic and Commercial Use .....Apr.	19, 1938—Vol. 23, No. 16
Fuel Oil Fill Pipe Terminals.....June	28, 1938—Vol. 23, No. 26
Fuel Oil Burners for Industrial Use.June	28, 1938—Vol. 23, No. 26
Fuel Oil Pumps.....July	5, 1938—Vol. 23, No. 27
Paint, Varnish and Lacquer Spraying Equipment .....April	26, 1938—Vol. 23, No. 17
Range Oil Burners and Space Heaters .....July	5, 1938—Vol. 23, No. 27

JULY 19, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning,* July 19, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 527-37-BZ—Application, November 9, 1937, under section 7h of the building zone resolution, of Abraham L. Hyman, applicant, on behalf of 670 Third Avenue Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 144-150 East 43rd street, south side, 100 ft. west of Third avenue (Block No. 1297, Lot Nos. 41, 43 and 45), Borough of Manhattan.

CAL. NO. 251-35-BZ—Application of Paul Friedman, applicant, on behalf of State Engineering Corporation and Cora Lay Waldron, owners, reopened May 17, 1938, under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a business building (stores); (previously denied under sections 7c and 21 of the building zone resolution); premises 2115-2119 Caton avenue, north side, 91 ft. west of Flatbush avenue (Block No. 5063, Lot No. 69), Borough of Brooklyn.

CAL. NO. 460-37-BZ—Application, September 27, 1937, under sections 7h and 21 of the building zone resolution, of MacMurray Holding Corporation, applicant and lessee, on behalf of Lexington avenue and 59th Street Corporation, owner, to permit in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; premises 141-155 East 58th street, north side, 95 ft. east of Lexington avenue and 731-733 Lexington avenue (Block No. 1313, Lot No. 53), Borough of Manhattan.

CAL. NO. 398-38-BZ—Application, May 20, 1938, under section 21 of the building zone resolution, of Sydne Schleman, applicant, on behalf of Beatrice Gamso, owner, to permit in a residence use and "E" area district the erection of an extension, to an existing dwelling, not conforming with the ten (10) foot set back required by the building zone resolution; premises 827 East 21st street, east side, 100 ft. north of Glenwood road (Block No. 5242, Lot No. 11), Borough of Brooklyn.

CAL. NO. 409-38-BZ—Application, May 25, 1938, under section 21 of the building zone resolution, of Joseph Rothman, applicant, on behalf of Rubel Corporation, owner, to permit in a residence use district the maintenance of a lumber yard; premises 86-70 76th street, west side, 146 ft. south of Jamaica avenue (Block No. 8904, part of Lot No. 7), Woodhaven, Borough of Queens.

CAL. NO. 628-37-BZ—Application, December 31, 1937, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Isaac T. Flatto, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 97 Dyckman street and 173 Nagle avenue, southeast corner (Block No. 2150, part of Lot No. 91), Borough of Manhattan.

CAL. NO. 469-38-BZ—Application, June 2, 1938, under section 21 of the building zone resolution, of Alfred H. Eccles, applicant, on behalf of Otto Grumbach, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 93-11 to 93-25 Rockaway boulevard and 103-28 to 103-36 94th street, northwest corner (Block No. 9114, Lot No. 19), Woodhaven, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 19, 1938, 2 P. M.

Appeals from Administrative Orders

535-38-A—125 Beach 17th street, southeast corner of Sea-

CALENDAR

girt avenue (Block No. 150, Lot No. 1), Far Rockaway, Borough of Queens.

387-38-A—32 Cortlandt street, north side, 70 ft. west of Church street (Block No. 61, Lot No. 1), Borough of Manhattan.

571-38-A—132-138 Fourth avenue, southwest corner of East 13th street (Block No. 564, Lot No. 45), Borough of Manhattan.

575-38-A—Barge, 1500 ft. off shore, Pleasant Bay Park, on Baxter Creek, foot of Ferris avenue (Block No. 5622, Lot No. 1), Borough of The Bronx.

444-38-A—617-637 West 23rd street and 140-154 13th avenue, northeast corner (4th floor); (Block No. 669, Lot No. 1), Borough of Manhattan.

521-38-A—384 Greenwich street, west side, 50 ft. north of North Moore street and 369 Washington street (Block No. 186, Lot Nos. 25 and 35), Borough of Manhattan.

554-38-A—594-606 11th avenue, east side, between West 44th street and West 45th street (Block No. 1079, Lot Nos. 2-8 and 56-62), Borough of Manhattan.

573-38-A—2-16 South Ninth street, south side, 230 ft. west of Kent avenue (Block No. 2143, Lot No. 1), Borough of Brooklyn.

576-38-A—443-465 Dumont avenue, northeast corner of Powell street (Block No. 3780, Lot No. 1, and part of Lot No. 36), Borough of Brooklyn.

580-38-A—370 Eighth avenue, east side, 98 ft. 9 in. north of West 28th street (Block No. 778, Lot No. 75), Borough of Manhattan.

581-38-A—564-586 Hegeman avenue, south side, between New Jersey avenue and Vermont street (Block No. 4324, Lot Nos. 1, 6 to 11, 20, 46 to 61), Borough of Brooklyn.

587-38-A—1 East 51st street and 641-643 Fifth avenue, northeast corner (Block No. 1287, Lot No. 1), Borough of Manhattan.

621-38-A—East side of Second avenue, between 28th street and 29th street (Block No. 663, Lot Nos. 1 and 9), Borough of Brooklyn.

527-38-A-WF—134-26 to 134-28 Northern boulevard, south side, 75 ft. west of Prince street (Block No. 4967, Lot No. 45), Flushing, Borough of Queens.

584-38-A—894-896a Quincy street, south side, 28 ft. 6 in. west of Broadway (Block No. 1479, Lot No. 8), Borough of Brooklyn.

586-38-A—15 Columbus Circle, 1822-1850 Broadway, 2-8 West 61st street and 1-12 Central Park west (Block No. 1113, Lot No. 29), Borough of Manhattan.

588-38-A—East side of Clifton street (46th street), 450 ft. south of Creek street (56th drive); (Block Nos. 2553 and 2529, Lot No. 1), Long Island City, Borough of Queens.

590-38-A-WF—35-55 Prince street and 13-02 Northern boulevard, southeast corner (Block No. 4971, Lot No. 22), Flushing, Borough of Queens.

596-38-A—342 West 14th street, 666-672 Hudson street and 339 West 13th street, northeast corner (Block No. 629, Lot Nos. 4 and 15), Borough of Manhattan.

597-38-A—37-28 30th street, north side, 70 ft. 4 in. east of 38th avenue and 214 Old Ridge road Block No. 371, Lot No. 34), Astoria, Borough of Queens.

601-38-A—84-01 to 84-10 Boardwalk, northwest corner of Beach 84th street (Block No. 620, Lot No. 80), Rockaway Beach, Borough of Queens.

602-38-A—319-327 McKibben street, north side, 120 ft. west of White street and 318-326 Boerum street (Block No. 3083, Lot No. 11), Borough of Brooklyn.

603-38-A—547-571 Watkins street, northeast corner of Lott avenue (Block No. 3618, Lot Nos. 1 and 3), Borough of Brooklyn.

619-38-A—134 West 74th street, south side, 340 ft. west of Columbus avenue (Block No. 1145, Lot No. 47), Borough of Manhattan.

606-38-A—115 Amity street, northeast corner of Henry street (Block No. 291, Lot No. 1), Borough of Brooklyn.

607-38-A—117 Amity street, north side, 16 ft. 10 in. east of Henry street (Block No. 291, Lot No. 52), Borough of Brooklyn.

608-38-A—119 Amity street, north side, 33 ft. 4 in. east of Henry street (Block No. 291, Lot No. 51), Borough of Brooklyn.

609-38-A—121 Amity street, north side, 49 ft. 10 in. east of Henry street (Block No. 291, Lot No. 50), Borough of Brooklyn.

610-38-A—125 Amity street, north side, 82 ft. 10 in. east of Henry street (Block No. 291, Lot No. 48), Borough of Brooklyn.

611-38-A—127 Amity street, north side, 99.4 ft. east of Henry street (Block No. 291, Lot No 47), Borough of Brooklyn.

612-38-A—110-118 Amity street, southeast corner of Henry street (Block No. 296, part of Lot No. 5), Borough of Brooklyn.

613-38-A—120 Amity street, south side, 90 ft. east of Henry street (Block No. 296, Lot No. 10), Borough of Brooklyn.

614-38-A—122 Amity street, south side, 117 ft. east of Henry street (Block No. 296, Lot No. 11), Borough of Brooklyn.

615-38-A—149 Congress street, north side, 90 ft. east of Henry street (Block No. 296, Lot No. 46), Borough of Brooklyn.

616-38-A—359 Henry street, east side, 50 ft. south of Amity street (Block No. 296, part of Lot No. 5), Borough of Brooklyn.

617-38-A—361 Henry street, east side, 73 ft. south of Amity street (Block No. 296, part of Lot No. 5), Borough of Brooklyn.

618-38-A—363 Henry street, east side, 74.5 ft. north of Congress street (Block No. 296, Lot No. 4), Borough of Brooklyn.

Variations of Labor Law

496-38-S—250 Myrtle avenue, south side, 90 ft. east of Ashland place, 99-113 Ashland place and 45-57 Bolivar street (Block No. 2068, Lot Nos. 1, 26 and 12), Borough of Brooklyn.

435-38-S—988-990 Myrtle avenue, south side, 250 ft. west of Sumner avenue (Block No. 1757, Lot No. 25), Borough of Brooklyn.

562-38-S—62-68 18th street, south side, 325 ft. west of

Third avenue (Block No. 632, Lot No. 4), Borough of Brooklyn.

595-38-S—27-39 West 50th street, north side, 315 ft. west of Fifth avenue and 28-42 West 51st street (Block No. 1266, Lot No. 34), Borough of Manhattan.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, July* 19, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 344-38-BZ—Application, May 9, 1938, under section 7h of the building zone resolution, of Lama and Proskauer, applicants, on behalf of The Borden Company, owner, to permit partly in a business use district and partly in an unrestricted use district, for a temporary priod of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 942-958 DeKalb avenue, southwest corner of Lewis avenue (Block No. 1601, Lot No. 24), Borough of Brooklyn.

CAL. NO. 266-36-BZ—Application of Lama and Proskauer, applicants, on behalf of Frederick Reiner, owner, reopened December 14, 1937, under section 7c of the building zone resolution, to permit the extension, from an unrestricted use district into a business use district, of an existing gasoline service station (previously withdrawn); premises 90-25 to 90-33 Horace Harding boulevard (Nassau boulevard), northeast corner of Queens boulevard (Block No. 1876, Lot No. 1 and part of Lot No. 21), Elmhurst, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 20, 1938, 10 A. M.

SPECIAL MEETING

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, July* 20, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 597-37-BZ—Application, December 15, 1937, under sections 7h and 7c of the building zone resolution, of Herman Kron, applicant, on behalf of Bowery Savings Bank, owner, to permit, for a temporary period of not more than two (2) years, partly in an unrestricted use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles; also, plot is located on a street between two (2) intersecting streets, in which portion there exists a public school; premises 339-349 East 46th street, north side, 80 ft. west of First avenue and 332-342 East 47th street (Block No. 1339, Lot Nos. 19 to 22¼ and 30½ to 34 inclusive), Borough of Manhattan.

CAL. NO. 682-26-BZ—Application of William I. Hohauser, applicant, on behalf of William Hagedorn, owner, reopened March 15, 1938, under section 21 of the building zone resolution, to permit in a business use district the maintenance of additional gasoline dispenser equipment in a garage for more than five (5) motor vehicles previously granted by the board; the resolution stipulates that any gasoline equipment installed shall be located at the extreme southerly end of these premises; premises 2218 Jerome avenue, southeast corner of East 182nd street (Block No. 3186, Lot No. 17), Borough of The Bronx.

CAL. NO. 1087-24-BZ—Application of Power and Hopkins, applicants, on behalf of Lerson Realty Corporation, owner, reopened April 26, 1938, under section 21 of the building zone resolution, to permit in a business use district the operation of a motor vehicle repair shop in an existing garage for more than five (5) motor vehicles (previously granted by the board); premises 1680 Jerome avenue, east side, 50 ft. south of Clifford place (Block No. 2848, Lot No. 12), Borough of The Bronx.

CAL. NO. 373-38-BZ—Application, May 16, 1938, under section 21 of the building zone resolution, of William F. Regan, applicant, on behalf of Cities Service Oil Company, owner, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a gasoline service station; premises 1401-1409 Far Rockaway boulevard and 1149-1161 Nameoke street, southwest corner (Block No. 38, Lot No. 40), Far Rockaway, Borough of Queens.

CAL. NO. 512-38-BZ—Application, June 17, 1938, under sections 7h and 21 of the building zone resolution, of Cross & Brown Company, applicant, on behalf of Lucy A. Duffy, owner, to permit, for a temporary period of not more than two (2) years, in a retail use district, the parking and storage of more than five (5) motor vehicles; premises 109-111 West 31st street, north side, 100 ft. west of 6th avenue (Block No. 807, Lot Nos. 34 and 35), Borough of Manhattan.

CAL. NO. 366-38-BZ—Application, May 11, 1938, under section 7a of the building zone resolution, of Edwin W. Kleinert, applicant, on behalf of John F. Trommer, Inc., owner, to permit partly in a business use district and partly in an unrestricted use district the alteration and extension of an existng brewery building; premises 1656-1672 Bushwick avenue, south side, 236 ft. east of Conway street (Block No. 3476, part of Lot No. 16), Borough of Brooklyn.

CALENDAR

CAL. NO. 367-38-BZ—Application, May 11, 1938, under section 7a of the building zone resolution, of Edwin W. Kleinert, applicant, on behalf of John F. Trommer, Inc., owner, to permit in a business use district the alteration and conversion of occupancy of a restaurant, dance hall and keg storage room (used in conjunction with a brewery) to an office, wash house and filling room building to be used in conjunction with the existing brewery; premises 88-98 Conway street, east side, 98 ft. 8 in. south of Bushwick avenue (Block No. 3476, part of Lot No. 16), Brooklyn.

CAL. NO. 368-38-BZ—Application, May 11, 1938, under sections 7a and 21 of the building zone resolution, of Edwin W. Kleinert, applicant, on behalf of John F. Trommer, Inc., lessee and New York Rapid Transit Corporation, owner of premises 66-70 Conway street and John F. Trommer, Inc., owner of premises 72-86 Conway street, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles and a motor vehicle repair shop—to be operated in conjunction with the brewery business on the site; premises 66-86 Conway street, east side, 204 ft. south of Bushwick avenue (Block No. 3476, part of Lot Nos. 16 and 10), Borough of Brooklyn.

CAL. NO. 369-38-BZ—Application, May 11, 1938, under section 7a of the building zone resolution, of Edwin W. Kleinert, applicant, on behalf of John F. Trommer, Inc., owner, to permit in a business use district the alteration and extension of an existing brewery building; premises 1630-1654 Bushwick avenue, south side, 150 ft. east of Conway street (in center of plot); (Block No. 3476, part of Lot No. 16), Borough of Brooklyn.

CAL. NO. 370-38-BZ—Application, May 11, 1938, under section 7a of the building zone resolution, of Edwin W. Kleinert, applicant, on behalf of John F. Trommer, Inc., owner, to permit in a business use district the alteration and extension of an existing brewery building; premises 1630-1654 Bushwick avenue, south side, 100 ft. east of Conway street (in center of plot); (Block No. 3476, part of Lot No. 16), Borough of Brooklyn.

CAL. NO. 426-37-BZ—Application of George Edward Beatty, applicant, on behalf of St. Francis de Sales Church, owner, reopened June 28, 1938, under section 21 of the building zone resolution, to permit in an "F" area district the extension of an existing school building in excess of the area permitted under the building zone resolution (part of requested extension previously granted by the board); premises 129-02 to 129-16 Rockaway Beach boulevard and 201-235 Beach 129th street, northwest corner and 202-216 Beach 130th street (Block No. 727, Lot Nos. 22, 26, 28, 41 and 47), Belle Harbor, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JULY 20, 1938, 2 P. M.

Appeals from Administrative Orders

356-38-A—333 West 83rd street and 110-112 Riverside drive, southeast corner (Block No. 1245, Lot Nos. 47, 49, 54 and part of Lot No. 56), Borough of Manhattan.

594-38-A—324-342 Fourth avenue, west side, from East 24th street to East 25th street, 25-33 East 24th street and 38-60 East 25th street (Block No. 854, Lot Nos. 1 to 41 inclusive), Borough of Manhattan.

579-38-A—West side of 243rd street, 220 ft. north of Hillside avenue, Bellerose, Borough of Queens.

623-38-A—Re Sale, use, transportation and storage of Anti-Freeze (Inflammable mixture) "Shell and Everflow" in non-refillable cans in New York City.

625-38-A—84-02 72nd drive, south side of private right of of way, 647 ft. 3 in. south and 431.42 ft. west of Cooper avenue and 88th street (Block No. 3837, Lot No. 1 and Block No. 3810, Lot No. 190), Glendale, Borough of Queens.

626-38-A—Southeast corner of Avenue D and East 103rd street (Block No. 8136, Lot Nos. 28, 30, 31, 33, 35 and 36), Borough of Brooklyn.

627-38-A—36-30 Steinway avenue, west side, 57 ft. 4 in. north of Jackson avenue (Block No. 665, Lot No. 38), Astoria, Borough of Queens.

631-38-A—6021-6031 Strickland avenue, north side, 1,352 ft. 3½ in. west of Mill avenue (Block No. 8470, Lot No. 1059), Borough of Brooklyn.

632-38-A—539-543 Ocean avenue, east side, 150 ft. south of Church avenue (Block No. 5101, Lot No. 90), Borough of Brooklyn.

633-38-A—1 Park place, northwest corner of Broadway (Block No. 125, Lot No. 29), Borough of Manhattan.

634-38-A—3042-3046 Fenton avenue, northeast corner of Knapp street (Block No. 4782, Lot Nos. 71 and 109), Borough of The Bronx.

635-38-A—1868-1890 Linden boulevard, south side, from Alabama avenue to Georgia avenue (Block No. 4344, Lot Nos. 1, 9, 10, 11), Borough of Brooklyn.

636-38-A—252-262 Newport street and 514-530 Watkins street, southwest corner (Block No. 3617, Lot Nos. 18 to 21, inclusive), Borough of Brooklyn.

638-38-A—185-22 Merrick road, south side, 135 ft. east of Main street (Block No. 3584, Lot No. 23), Springfield, Borough of Queens.

639-38-A—4420-4424 Church avenue, southwest corner of East 45th street (Block No. 4898, Lot Nos. 10-12), Borough of Brooklyn.

641-38-A—411-421 Euclid avenue, east side, 100 ft. north of Glenmore avenue (Block No. 4195, Lot No. 6), Borough of Brooklyn.

646-38-A—226-228 East 76th street, south side, 205 ft. west of Second avenue (Block No. 1430, Lot Nos. 33 and 34), Borough of Manhattan.

Variation of Labor Law

637-38-S—512 Seventh avenue and 200-212 West 38th street, southwest corner (Block No. 787, Lot No. 44), Borough of Manhattan.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JULY 12, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning June 28, 1938 and the minutes of the regular meeting of the board held on Tuesday afternoon, June 28, 1938, were approved as printed in Bulletin No. 27, Volume 23.

BUILDING ZONE CASES

338-38-BZ.

APPLICANT—Samuels and Samuels, for Grace F. Boardman, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district the maintenance of a stable for more than five (5) horses.

PREMISES AFFECTED—193-12 to 193-20 Salerno avenue and 194-02 to 194-08 Dunton avenue, southwest corner (Block No. 1431, Lot No. 159), Holliswood, Borough of Queens.

APPEARANCES—

For Applicant: Archie H. Samuels.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(338-38-BZ)

WHEREAS, Samuels and Samuels, for Grace F. Boardman, owner, filed May 5, 1938, an application under the building zone resolution to permit in a residence use district the maintenance of a stable for more than five (5) horses; premises: 193-12 to 193-20 Salerno avenue and 194-02 to 194-08 Dunton avenue, southwest corner (Block No. 1431, Lot No. 159), Holliswood, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 12, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Salerno avenue is in a residence use and "E" area district; Dunton avenue is in a residence use and "E" area district and Clio avenue is in a residence use and "E" area district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated April 5, 1938, reads:

"Regarding application made by you, representing the Boardman Estate, John Kay, Executor, for issuance of Certificate of Occupancy to cover use of premises 193-12-20 Salerno avenue, southwest corner Dunton avenue, Holliswood, as follows:

First story—stable for more than five horses;

Second story—one family dwelling, storage, and hay loft,

be advised that this application is hereby denied, as these premises are situated in a "Residence E" District, and this use and occupancy would be prohibited here by the Building Zone Resolution of the City of New York."

and

WHEREAS, the building is of frame construction, two (2) stories in height, with a frontage of 105 ft. and a depth of 42 ft., to be occupied as a stable for more than five horses with a residence use on the 2nd story; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that applicant was entitled to temporary relief under section 21 on the grounds of unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 21 for a period of five years from the date of this action, to permit the continuance of the use of the existing private stable for the stabling of horses owned privately by owners in the vicinity, *on condition* that at no time shall there be more than ten (10) horses so stabled; that the building shall not be increased in height or area and that the present general conditions shall be maintained and that this variance shall continue only so long as the operation of the stable is under the control of the present operator, Patrick Walsh.

463-38-BZ.

APPLICANT—Lama and Proskauer, for Preferred Estates, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the reconstruction of an existing gasoline service station.

PREMISES AFFECTED—172-02 Hillside avenue, southeast corner of 172nd street (Block No. 9829, Lot No. 37a), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama, Paul Lagana and Joseph Lagana.

For Opposition: Isidor Mates, Juliana Maier and John A. Ryan.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(463-38-BZ)

WHEREAS, Lama and Proskauer, for Preferred Estates, Inc., owner, filed June 7, 1938, an application under the building zone resolution to permit in a business use district the reconstruction of an existing gasoline service station; Premises: 172-02 Hillside avenue, southeast corner of 172nd street (Block No. 9829, Lot No. 37a), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 12, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hillside avenue is in a business and residence use district; 172nd street is in a residence and business use district; 173rd street is in a residence and business use district and Warwick Crescent is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated June 6, 1938, re N.B. App. No. 3169/36, reads:

"Reconstructing a gasoline station in a business district to an extent of more than 50% is contrary to the Zone Law."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 95.3 ft. on Hillside avenue and 72 ft. on 172nd street and used as a gasoline service station. It is proposed to demolish the metal accessory building now on the site and to erect thereon a one story building 45 ft.

6 in. by 26 ft. in area, to be used as office, lubritorium and auto laundry and it is proposed also, to continue the gasoline service station occupancy; and

WHEREAS, the board deemed that the applicant was entitled to relief under section 21 on the grounds of unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 thereof, to permit the reconstruction and rearrangement of the legally existing gasoline station, substantially as indicated on plans filed with this appeal, *on condition* that there shall be erected on the rear lot line, a masonry wall not less than six (6) feet in height above the general grade of the plot, which is substantially the grade of Hillside avenue; that this wall shall be continued on 172nd street for a distance of at least twenty (20) feet; that curb cut entrances to the premises shall not exceed those now existing; that the gasoline pumps shall be not nearer than fifteen (15) feet to either street building line and shall be of the Parkway design with masonry pedestals; that a similar masonry wall shall be erected on the easterly lot line to the street line of Hillside avenue, except that this wall need not be higher than four (4) feet from the street line for a distance of ten feet; that the accessory building shall be constructed of fireproof materials, except that the roof beams and roof boarding, door frames and doors, window frames and sash may be of wood, provided the ceiling is fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals; that the roof shall be surfaced with non-inflammable weather surfacing; that the heater room shall be separated from the balance of the building by fireproof material and enterable only from the exterior of the building; that there shall be no greasing pits installed on the premises outside of the accessory building; that no doors shall be installed on the greasing section of the accessory building, unless the greasing equipment is of the hydraulic type or if of the pit type, that the pit shall be ventilated by means of ducts to and through the roof; all fans are to be of the spark-proof type; that the entire premises where not occupied by the accessory building, shall be cement paved or paved with Colprovia or similar material; that the gasoline tanks shall not exceed those now existing, namely, four 550 gallon tanks; that signs shall be restricted to a permanent sign on the accessory building and to the illuminated globes of the pumps and to a post standard located within the building line near the easterly lot line for the support of a sign advertising only the brand of gasoline on sale; that this sign may be illuminated and extend over the building line for a distance of not more than five feet, excluding all roof signs and temporary signs; that there shall be erected on the street line at the intersection of Hillside avenue and 172nd street, a triangular section of concrete not less than one foot high and not less than five feet along 172nd street and five feet along Hillside avenue; that no portable gasoline pumps shall be used on or from the premises; that there shall be no parking or storage of cars other than those being serviced and no repairing of cars; that the design of the building shall be substantially as indicated on plans filed with this appeal; that the accessory building shall be arranged for office, lubritorium and laundry; that all permits required shall be obtained and all work involved completed within one year from the date of this action.

186-30-BZ.

APPLICANT—Ethel Quasman, owner.

SUBJECT—Application reopened May 24, 1938 (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a gasoline service station (previously withdrawn).

PREMISES AFFECTED—74-02 to 74-10 Jamaica avenue and 1 Elderts lane, southeast corner (Block No. 8899, part of Lot No. 1), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Daniel J. Madigan, Richard F. Breen, Alfred Quasman and Joseph E. Greenberg.

For Opposition: George W. Singer, Mr. Luderman, J. S. Glekel, Josephine Hildebrandt, Joseph V. Spralle, F. E. Heintz, Jr. and others.

ACTION OR BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(186-30-BZ)

WHEREAS, this application, to permit partly in a residence use district and partly in a business use district, the erection and maintenance of a gasoline service station, was withdrawn and the present owner requested a reopening of the application; premises affected: 74-02 to 74-10 Jamaica avenue and 1 Elderts lane, southeast corner (Block No. 8899, part of Lot No. 1), Woodhaven, Borough of Queens; and

WHEREAS, this application was reopened by vote of the board, May 24, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 12, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jamaica avenue is in a business use district; Elderts lane is in a residence and business use district; 87th avenue (Melville place) is in a residence use district, and 75th street is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated June 10, 1938, re N.B. Permit No. 4104-1938, reads:

"1. The erection of a gasoline station in a business and residence district is prohibited by Sections 3 & 4 of the Zone Law."

and

WHEREAS, the premises, part of a larger parcel of ground, consist of a plot of ground having a frontage of 105 ft. on Jamaica avenue and 103 ft. on Elderts lane; the south portion of the plot extends for a distance of 3 ft. into the residence use district—the remainder of the plot is in a business use district. It is proposed to erect upon the plot a one-story building 60 ft. by 25 ft. in area, to be used as office, lubritorium and auto laundry and to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the board deemed that, in view of the existence of the public school with an entrance to the playground thereof, directly opposite and within 200 ft. of this proposed gasoline service station and the decisions of the courts, it is precluded from making a favorable decision; and that in addition, proof of unnecessary hardship was not sufficient to justify the granting of a variance under section 21.

Resolved, that the decision of the Borough Superintendent in acting on N.B. 4104-1938, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

425-38-BZ.

APPLICANT—1215 Concourse Realty Corporation, for Bowery Savings Bank, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the

building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station for a temporary period of five (5) years.

PREMISES AFFECTED—100 East 107th street and 1455 Park avenue, southeast corner (Block No. 1634, Lot No. 71), Borough of Manhattan.

APPEARANCES—
For Applicant: Gerald Weldon.
For Opposition: Dione Battaglia, Mary A. Stewart, Mary Brodowicz, S. R. Nussenfeld and others.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(425-38-BZ)

WHEREAS, 1215 Concourse Realty Corporation, for Bowery Savings Bank, owner, filed May 28, 1938, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station for a temporary period of five (5) years; premises: 100 East 107th street and 1455 Park avenue, southeast corner (Block No. 1634, Lot No. 71), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 12, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Park avenue is in a business use district; East 107th street is in a business and residence use district; East 106th street is in a business use district and East 108th street is in a business and residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated May 27, 1938, re Application No. 97-1938, reads:

"1. Proposed installation of gasoline service station in a business district is contrary to the provisions of Sec. 4, Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 30 ft. on East 107th street and 100.1 ft. on Park avenue. It is proposed to erect upon the plot a one story office and lubritorium building 24 ft. by 29 ft., irregular in area, and also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, in acting on Application No. 97-1938, be and it hereby is *affirmed,* and that the application be and it hereby is *denied.*

420-37-BZ.

APPLICANT—J. Bert Miller (lessee), for Mainrose Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 21 and 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—136-30 Roosevelt avenue, south side, 295 ft. east of Main street (Block No. 5019, Lot No. 16), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: George B. Rice.
For Opposition: Meyer B. Helman.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(420-37-BZ)

WHEREAS, J. Bert Miller, lessee, for Mainrose Realty Corporation, owner, filed August 27, 1937, an application under the building zone resolution to permit in a business use district, for a temporary period of not more than two years, the parking and storage of more than five (5) motor vehicles; premises: 136-30 Roosevelt avenue, south side, 295 ft. east of Main street (Block No. 5019, Lot No. 16), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 12, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Roosevelt avenue is in a business and unrestricted use district; 41st avenue is in a business use district; and Main street is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated July 29, 1937, re No. 2423-37, reads:

"Be advised that application made by you to this department for issuance of Certificate of Occupancy to cover use of premises known as No. 136-30 Roosevelt avenue, described as being situated on the South side of Roosevelt avenue, 295' east of Main street, Borough of Queens, for purposes of storage and parking space for more than five cars is hereby DENIED, as this location is situated in a BUSINESS DISTRICT, and such use would be contrary to subdivision 15, Section 4, of the Building Zone Resolution of the City of New York."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 145 ft. on Roosevelt avenue and a distance of 204 ft. 8 in. along the east lot line. Upon the Roosevelt avenue front of the plot, there is located a one story building occupied for stores; this building has a frontage of 135 ft. on Roosevelt avenue, and a depth of 100 feet. It is proposed to occupy the remainder of the plot for parking and storage of more than 5 motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7h, for a period of two years from the date of this action, to permit that portion of lot 16 not built upon, to be used for the parking and storage of more than five motor vehicles, *on condition* that only automobiles of the pleasure car type shall be so parked and stored; that the plot shall be leveled and graded with gravel or steam cinders or similar material, properly rolled and treated with a binder to prevent dusting; that proper aisles shall be maintained at all times, to permit ready exit and entrance; that during the term of this variance, the portion of the plot permitted for parking use shall not be built upon and no other use shall be made of this portion of the premises; that no signs shall be erected on the premises, except there may be a sign at the entrance driveway

advertising the parking use, provided this sign does not extend beyond the building line for a distance of not more than 4 ft. and is not illuminated; that there may be erected a building not over one story in height and not over 100 sq. ft. in area, as office and shelter for the attendant; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that all permits shall be obtained and all work completed within three months from the date of this action and that no certificate of occupancy shall be issued until the requirements of this resolution have been complied with.

42-38-BZ.

APPLICANT—Thomas W. Golding, for Henry Pape, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7b, 7c and 21 of the building zone resolution, to permit, partly in a business use district and partly in an unrestricted use district, the maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—22-36 Caton place, south side, 182 ft. 10 in. east of Ocean parkway (Block No. 5320. Lot No. 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Thomas W. Golding and Aaron A. Roth.

For Opposition: Alfred A. Duffy and A. E. Barshay.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Assistant Chief Walsh	3
Negative	0
Absent	0
Not Voting Commissioner Savage	1

THE RESOLUTION—

(42-38-BZ)

WHEREAS, Thomas W. Golding, for Henry Pape, owner, filed January 21, 1938, an application under the building zone resolution to permit partly in a business use district and partly in an unrestricted use district, the maintenance of a garage for more than five (5) motor vehicles; premises: 22-36 Caton place, south side, 182 ft. 10 in. east of Ocean parkway (Block No. 5320, Lot No. 55), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 12, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Caton place is in an unrestricted, business and residence use district; Kermit place is in a business and residence use district; Ocean parkway is in a residence use district and East 8th street is in an unrestricted, business and residence use district; and

WHEREAS, the decision of the commissioner of buildings, dated December 22, 1937, re Application No. 20028-1937 reads:

"2. Portion of this building (rear extension) was erected while in a business use district. Question of maintenance of garage for more than 5 cars in a building of which this is part and question of including portion of building which was formerly used for storage and now lies in a business use district in a building to be used as a garage for more than 5 cars to be referred to Board of Standards and Appeals as such use is contrary to Art. II, Sec. 4a of the Building Zone Resolution."

and

WHEREAS, the building is of non-fireproof construction one story in height, with a frontage of 150 ft., and a depth of 150 ft., irregular; to be occupied throughout as a garage for more than five motor vehicles; and

WHEREAS, the board deemed that the provisions of section 7, subdivision B of the building zone resolution, under which this application was made, empowered the board to exercise its discretion and to grant this application.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7b, *on condition* that the garage shall not be further extended in height or area and that the extreme southerly portion, for a depth of 25 ft., shall be used for greasing and washing of cars and not for motor vehicle storage; that the windows on the rear lot line shall have fireproof frames and sash and shall be glazed with wire glass and fixed with no panes of glass openable or removable; that ventilation shall be obtained, if necessary, by means of a skylight or ventilating ducts carried through and above the roof; that no motor vehicle repairing shall be carried on and that no roof signs shall be erected.

27-33-BZ.

APPLICANT—William E. Kennedy, for Joseph Moss, owner.

SUBJECT—Application reopened March 15, 1938 (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station (previously dismissed for lack of prosecution).

PREMISES AFFECTED—212-31 115th avenue and 114-30 Springfield boulevard, northwest corner (Block No. 1949, part of Lot No. 1), St. Albans, Queens.

APPEARANCES—

For Applicant: William E. Kennedy and Joseph Moss.

For Opposition: Alex. Schwartzberg, Cornelius V. Coleman and Rae Busell.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(27-33-BZ)

WHEREAS, this application, to permit in a business use district, the erection and maintenance of a gasoline service station affecting premises 212-31 115th avenue and 114-30 Springfield boulevard, northwest corner (Block No. 1949, part of Lot No. 1), St. Albans, Borough of Queens, was denied by the board, on July 18, 1933, and request to reopen was denied by the board on May 8, 1934; and

WHEREAS, this case was reopened by the board on September 10, 1935, on order of the Court, and dismissed for lack of prosecution on June 23, 1936, and again reopened by the board on March 15, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 12, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 115th avenue is in a business and residence use district; Springfield boulevard is in a business use district; Nashville avenue is in a residence use district, and Colfax street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated May 25, 1938, re N.B. 3466-38, reads:

"The erection of a gasoline service station in a business district is contrary to Art. 2, Sub. 46, Building Zone Resolution."

and

WHEREAS, the premises (part of a larger plot of ground) consist of an irregular shaped plot of ground having a frontage of 106.8 ft. on Springfield boulevard and 132 ft. on 115th avenue. It is proposed to erect upon the site a one story accessory building, 16 ft. by 18 ft. in area, 2 grease pits and the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, in acting on N.B. 3466-38, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

Adjourned, 1:10 P.M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, JULY 12, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

266-36-BZ.

APPLICANT—Lama and Proskauer, for Frederick Reiner, owner.

SUBJECT—Application reopened December 14, 1937 (re decision of the commissioner of buildings) under section 7c of building zone resolution, to permit the extension from an unrestricted use district into a business use district of an existing gasoline service station (previously withdrawn).

PREMISES AFFECTED—90-25 to 90-33 Horace Harding boulevard (Nassau boulevard), northeast corner of Queens boulevard (Block No. 1876, Lot No. 1 and part of Lot No. 21), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Laid over to July 19, 1938, at 2 P.M. for further consideration by the Board.

388-37-BZ.

APPLICANT—Samuel Rosenblum, for W.P.A. Realty Corporation, owner.

SUBJECT—Application reopened June 7, 1938, for consideration of an amendment to resolution to permit storage of more than five (5) motor vehicles—re Application (decision of the commissioner of buildings), previously granted on condition, under section 7h of the building zone resolution, permitting, for a period of not more than two (2) years, in a business use district, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—2159 White Plains avenue, west side, 400 ft. south of Pelham parkway south (Block No. 4317, Lot No. 56), Borough of The Bronx.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Opposition: Sol A. Herzog and M. Sheld.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(388-37-BZ)

WHEREAS, this application, to permit in a business use district, the parking of more than five motor vehicles, affecting premises 2159 White Plains avenue, west side, 400 ft. south of Pelham parkway south (Block No. 4317, Lot No. 56), Borough of The Bronx, was granted by the board January 4, 1938, on certain conditions and applicant requested a reopening of the case and an amendment of the resolution; and

WHEREAS, this application was reopened by vote of the board June 7, 1938; and

WHEREAS, a public hearing was held in this reopened application by the Board of Standards and Appeals at its regular meeting July 12, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the board deemed that an amendment of the resolution to permit both storage and parking of motor vehicles should be granted.

Resolved, that the resolution adopted by the board on January 4, 1938, be and it hereby is *amended*, so that as amended the resolution will read:

"*Resolved* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h, for a temporary period of two years from the date of this action permitting the plot under appeal to be used for parking and *storage* of motor vehicles, *on condition* that only motor vehicles of the pleasure car type shall be stored or parked; that such use shall be carried on for a depth of 75 ft. only, westerly from the street line of White Plains avenue; that this portion shall be leveled to the grade of White Plains avenue and shall be surfaced with steam cinders, properly rolled and treated with a binder to prevent dusting and graded so as to provide surface drainage; that there shall be erected across the entire rear of the plot on a line, 80 ft. back from White Plains avenue and parallel thereto, a tight board fence not less than 6 ft. in height, constructed of new lumber and kept painted; that there shall be erected a suitable barricade at a point 75 ft. back from the line of White Plains avenue and parallel thereto, to prevent cars from being parked or stored beyond this depth; that there shall be erected along the street building line a substantial woven wire fence not less than 5 ft. in height with not over one opening from White Plains avenue, this opening not to exceed 30 ft. in width; that a similar fence shall be maintained on the side lot lines for a depth of at least 75 ft.; that no building shall be erected on the plot, other than a building not exceeding 10 ft. by 10 ft. and one story in height, as an office and shelter for the attendant; that no advertising shall be permitted on the premises other than a neat sign at the entrance, advertising parking and storage use; that during the term of this variance, the premises shall be used for no other use other than that permitted; that any lights erected for general illumination shall be so arranged

as to reflect toward the center of the premises and away from the adjoining occupancies; that all permits shall be obtained within two months from the date of this action."

461-37-BZ.

APPLICANT—Manhattan Parking Corporation (lessee), for New York Life Insurance Company, owner.

SUBJECT—Application (re decision of borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—247-261 Madison avenue, east side, from East 38th street to East 39th street (Block No. 868, Lot Nos. 20, 22, 23, 24, 25, 54, 55 and 56), Borough of Manhattan.

APPEARANCES—

For Applicant: George D. Carrington and J. A. Boehme.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(461-37-BZ)

WHEREAS, Manhattan Parking Corporation (lessee), for New York Life Insurance Company, owner, filed September 27, 1937, an application under the building zone resolution to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 247-261 Madison avenue, east side, from East 38th street to East 39th street (Block No. 868, Lot Nos. 20, 22, 23, 24, 25, 54, 55 and 56), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 12, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Madison avenue, East 38th street and East 39th street are each in business, residence and restricted retail use districts; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated March 3, 1938, reads:

"Your application for a certificate of occupancy for use of the above premises for the parking and storage of motor vehicles has been denied for the reason that location is partly in a business district which is prohibited by section 4, sub-division 15 of the zone resolution and partly in a residence district which is also prohibited by section 3 of the zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 115 ft. on East 39th street, 197 ft. 6 in. on Madison avenue and 100 ft. on East 38th street; the northeasterly portion of the plot extends for a distance of 15 ft. into the residence use district—the remainder of the plot is in a business use district. It is proposed to use the plot, for a temporary period of not more than two years, for the parking and storage of more than five motor vehicles; and

WHEREAS, the board deemed that this was a proper case to exercise its discretion under section 7, subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h for a period of two years from the date of this action, to permit that portion of the plot within the business use district to be used for transient parking of more than five motor vehicles of the pleasure car type, *on condition* that the entire plot shall be graded to the level of the sidewalk at the building line; that there shall be erected on the street building lines, except for one 20 ft. wide entrance to East 39th street, and one of a similar width to East 38th street, a concrete curbing 1 ft. in height and 1 ft. in width, upon which shall be erected a substantial steel picket fence not less than 4 ft. 6 in. in height above such curb, with substantial posts and bumpers at the entrances; that this curbing and fence shall be continued along the building line of the portion of the plot within the residential use area for a distance of 15 ft. along East 39th street and 22 ft. along East 38th street, with returns to the side lot line building wall; that parallel to this fence, within the business use area, a concrete platform bumper with steel nosing shall be constructed for a width of 4 ft. and a height of 8 in.; that a similar platform bumper shall be constructed from north to south on the line of the business use area, but which may extend for its full width into the residence use area; that the remaining portion of the plot in the business use area shall be surfaced with cracked bluestone or clean gravel, properly rolled and treated with a binder other than oil, to preclude dusting and so graded as to provide surface drainage; that no portion of the residence use area shall be used for parking; that there shall be erected on the interior lot line on the easterly adjoining lots, where building walls do not occur, a tight board fence not less than 5 ft. 6 in. in height; that the space between this fence and the bumper platform shall be graded to the height of the platform and maintained with grass and shrubs; that all fences shall be kept painted; that the 20 ft. entrances from East 38th street and East 39th street shall be not nearer than 50 ft. to the building line of Madison avenue; that the curb cuts opposite entrances shall not exceed 20 ft. in width; that all signs and buildings shall be removed from the plot; that signs shall be restricted to one at each entrance attached to an ornamental steel standard; that these signs shall not be illuminated and may be double-sided, reading "Parking" and may not extend beyond the building line; that no building shall be erected, except a one-story office and shelter for the attendants and patrons; that this building shall not exceed 250 sq. ft. in area and shall be provided with toilet accommodations; that this building shall be constructed of fire-retarded materials and shall be of an attractive design, which, together with the fence, shall be subject to approval by the chairman in behalf of the board; that a driveway not less than 15 ft. in width shall be maintained at all times on a line with the entrances; that at least once a day, the plot shall be cleaned of all refuse and receptacles for papers and other refuse, shall be provided; that all cars parked shall be capable of operation; that there shall be no use permitted on the plot other than transient parking herein permitted; that the attendants shall wear distinctive uniforms; that there shall be no lights for general illumination; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that no certificate of occupancy shall be issued until all work herein required is complied with and that all work herein required shall be completed within three months from the date of this action.

1254-23-BZ.

APPLICANT—Samuel Rosenblum, for 14 Second Avenue Realty Corporation, owner.

SUBJECT—Application reopened January 4, 1938 (re decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the installation of

gasoline storage equipment in a garage for more than five (5) motor vehicles, previously granted by the board on condition that no gasoline storage equipment be installed.

PREMISES AFFECTED—14 Second avenue, east side, 47 ft. 10 in. south of East First street (Block No. 442, Lot No. 6), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum, Charles C. Peters and Nathan P. Epstein.

For Opposition: Max Sheld.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1254-23-BZ)

WHEREAS, this application, to permit in a business use district, the alteration of an existing building and change of occupancy from a stable for more than five horses to a garage for more than five motor vehicles, affecting premises 14 Second avenue, east side, 47 ft. 10 in. south of East First street (Block No. 442, Lot No. 6), Borough of Manhattan, was granted by the board February 5, 1924, on certain conditions, one of which was—"that there shall be no gasoline storage equipment installed or maintained on the premises"; and

WHEREAS, the present owner, the 14 Second Avenue Realty Corporation, through its engineer, Samuel Rosenblum, requested a reopening of this application, to permit gasoline storage equipment; and

WHEREAS, this application was reopened by vote of the board January 4, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting July 12, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Second avenue, East First street and East Houston street are in a business use district; and

WHEREAS, the decision of the Superintendent of buildings, dated October 26, 1923, reads:

"Proposed use as garage is unlawful in a business district, Art. II, Building Zone Resolution."

and

WHEREAS, the building is fireproof, four stories in height, 25 ft. by 105 ft. 6 in. in area, occupied as a garage for more than five motor vehicles; it is proposed to maintain two (2) 550 gallon gasoline storage tanks and one gasoline pump for gasoline service; and

WHEREAS, the Fire Department in error gave permission in 1924 for the installation of these tanks and has issued permits for the storage of gasoline for the past 14 years, until it was discovered that the storage and sale of gasoline was not permitted under the board's resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on February 5, 1924, by *omitting* the words "that there shall be no gasoline storage equipment installed or maintained on these premises", so that as amended it shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that a building of fireproof construction be erected; that the gable walls be unpierced throughout their entire height and length, that a ventilating system shall be installed of metal ducts with sufficient exhaust outlets for each story faced with metal registers at least 18 inches above floor level venting above roof; *that gasoline storage equipment may be installed on these premises on condition that the total capacity shall not exceed two* (2) *550-gallon tanks, which shall be buried below the sub-basement floor and shall comply with all rules, laws and regulations applicable to such installation; that the pump shall be entirely within the garage, and as presently located; that any booster pump required shall be enclosed in fireproof material; that no portable gasoline pump shall be used on or from the premises; that the basement and sub-basement shall be protected with one-source sprinkler system fed from the street supply.*"

633-26-BZ.

APPLICANT—Miriam Young, owner.

SUBJECT—Application reopened April 26, 1938 (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district the change of occupancy of part of an existing building from residence to business use (beauty parlor); (previously denied by the Board re use of premises for business purposes five (5) stores).

PREMISES AFFECTED—1883 Marmion avenue, west side, 100 ft. north of East 176th street (Block No. 2954, Lot No. 34), Borough of The Bronx.

APPEARANCES—

For Applicant: Louis Bennett.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(633-26-BZ)

WHEREAS, this application, to permit in a residence use district the erection and maintenance of a building for store purposes, affecting premises 1883 Marmion avenue, west side, 100 ft. north of East 176th street (Block No. 2954, Lot No. 34), Borough of The Bronx, was denied by the Board November 9, 1926; and

WHEREAS, the owner requested a reopening of the case, to permit the change of occupancy of part of the existing building from residence use to business use (beauty parlor); and

WHEREAS, the application was reopened by vote of the Board April 26, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 12, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Marmion avenue, East 176th street and Fairmount place are in a residence use district; and

WHEREAS, the decision of the Borough Superintendent, dated April 1, 1938, reads:

"You are hereby advised that a Certificate of Occupancy for the use of the above premises as a two family dwelling and beauty parlor must be denied as the location is within a residence district as established by the Amended Building Zone Resolution where such occupancy would be unlawful."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 46.3 ft. and a depth of 121 ft.; upon the front of the plot there is located an irregular shaped building two stories in height, having a frontage of 38 ft. 3 in. and a depth of approximately 61 ft. It is proposed to occupy the northerly portion of the first and of the second stories as a beauty parlor; the remainder of the building to be used as residence; and

WHEREAS, in the opinion of the board, the proposed use, if limited to the occupant of the premises, would be a permitted use in a residence district and that the proposed use does not materially extend such a permitted use and should be granted for a temporary period under section 21, so long as the beauty parlor is under operation of the owner of the building.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted,* under section 21, *for a temporary period of five* (5) *years from the date of this action,* to permit the rooms in basement and on first floor, as designated on plans marked "Received July 12, 1938", to be used as beauty parlor, *on condition* that such beauty parlor shall be operated by the owner, who shall also occupy one of the two apartments in the building; that no equipment shall be installed that shall exceed the permitted floor loading; that no changes shall be made to the exterior of the building; that no signs shall be erected on the exterior of building, except a neat sign at the entrance door, not exceeding two square feet in area.

67-37-BZ.

APPLICANT—Patrick Gallagher, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district the extension in area of an existing gasoline service station.

PREMISES AFFECTED—2561-2569 Ocean avenue, east side, 90 ft. south of Avenue U (Block No. 7353, Lot Nos. 68 and 70), Borough of Brooklyn.

APPEARANCES—

For Applicant: Cornelius Gallagher and Elizabeth Gallagher.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(67-37-BZ)

WHEREAS, Patrick Gallagher, owner, filed February 19, 1937 an application under the building zone resolution to permit partly in a business use and partly in a residence use district the extension in area of an existing gasoline service station; Premises: 2561-2569 Ocean avenue, east side, 90 ft. south of Avenue U (Block No. 7353, Lot Nos. 68 and 70), Borough of Brooklyn; and

WHEREAS, this application was granted by the board May 4, 1937 on certain conditions, resolution amended April 19, 1938 and applicant requested a further amendment of the resolution.

Resolved, that the resolution adopted by the board on May 4, 1937, as amended April 19, 1938, be and it hereby is further *amended,* so that as amended it shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, to permit the plot under appeal to be used as an extension to the existing gasoline station, legally established on Lot 68, *on condition* that the proposed accessory buildings to be erected shall not exceed one story in height and shall be constructed of fireproof materials except that the roof beams and roof boarding, door frames and the doors, window frames and sash may be of wood provided the roof is surfaced with non-flammable materials and that the ceiling throughout shall be fire retarded in accordance with the rules of the Board of Standards and Appeals; that the proposed accessory building shall be rearranged so that the entrance to greasing section shall be from the north and the entrance to car washing section from the south; that the existing planting in the rear shall be maintained and there shall be additional planting toward the west of the proposed accessory building in the area immediately north of existing office; that no additional pumps shall be erected nearer than 15 ft. to the street line of Ocean avenue; that the existing curb cuts shown, namely, two (2) 13 ft. 6 in. in width and one (1) 20 ft. in width, shall not be increased; that in the event the adjoining lot to the south, now occupied by the owner, changes ownership, there shall be erected along the southerly lot line of Lot No. 68 a substantial fence or wall; that no unenclosed greasing equipment shall be installed or maintained; that no automobile repairing shall be carried on and no parking of cars other than those being serviced, except that the present two-car garage shown at the rear, legal permit for which has been issued by the commissioner of buildings, may be continued as a two-car garage; that no portable gasoline tanks shall be used on or from the premises; that signs shall be restricted to illuminated globes of the pumps and to flat signs attached to accessory building, excluding all temporary signs and roof signs, except that there may be erected within the building line a post standard for supporting a sign advertising only the brand of gasoline sold; that such sign shall not extend beyond the building line; that prior to the filing of plans with the commissioner of buildings, plans shall be filed with this board and approved by the chairman in behalf of the board; that such plans shall be filed and all permits obtained and work completed within one year from May 4, 1937.

Resolved further, that in the event the owner desires to eliminate all existing gasoline pumps and erect two pump islands, one island of three pumps and one island of two pumps, such islands to be not less than 12 ft. from the building line of Ocean avenue, such change from the plans as approved by the board on July 1, 1937, may be made *on condition* that in all other respects the work indicated on approved plan shall be carried out.

Resolved further, that there shall be additional planting toward the north and south of the existing office, as indicated on revised plan marked 'Received July 8, 1938'."

APPEALS FROM ADMINISTRATIVE ORDERS

356-38-A.

APPLICANT—Nordlinger, Riegelman and Cooper, for Metropolitan Life Insurance Company, owner.

SUBJECT—Appeal from an order of the deputy commissioner, division of housing, department of housing and buildings.

PREMISES AFFECTED—333 West 83rd street and 110-112 Riverside drive, southwest corner (Block No. 1245, Lot Nos. 47, 49, 54 and part of Lot No. 56), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Insp. P. F. Kelly, department of housing and buildings.

ACTION OF BOARD—Laid over to July 20, 1938, at 2 P.M. on written request of applicant.

MINUTES

306-38-A.

APPLICANT—Irene Thatcher, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Max H. Neumann.

ACTION OF BOARD—Laid over to September 13, 1938, at 2 P.M., for further consideration by the Board.

594-38-A.

APPLICANT—Metropolitan Life Insurance Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—324-342 Fourth avenue, west side, from East 24th street to East 25th street, 25-33 East 24th street and 38-60 East 25th street (Block No. 854, Lot Nos. 1 to 41, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: John H. Derby.

For Administration: Engineer C. Drapkin and Insp. Dahlem, department of housing and buildings.

ACTION OF BOARD—Laid over to July 20, 1938, at 2 P.M., for inspection by a committee of the Board.

494-38-A.

APPLICANT—Francis Seaman, for New York City Omnibus Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—721-729 Lenox avenue, west side, from West 146th street to West 147th street, 101-165 West 146th street and 100-164 West 147th street (Block No. 2015, Lot No. 6), Borough of Manhattan.

APPEARANCES—

For Applicant: Francis Seaman and Edmund C. Collins.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(494-38-A)

WHEREAS, Francis Seaman, for New York City Omnibus Corporation, owner, filed on June 15, 1938, an appeal from decisions of the Borough Superintendent, Department of Housing and Buildings affecting premises: 721-729 Lenox avenue, west side, from 146th street to 147th street, 100-164 West 147th street and 101-165 West 146th street (Block No. 2015, Lot No. 6), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent on N. B. App. No. 99-38, dated June 9, 1938, reads:

"11. Comply with Article 16, Building Code, and Board of Standards and Appeals Rules for Standpipes."

and

WHEREAS, the decision of the Borough Superintendent on F. P. App. No. 254-38, dated June 9, 1938, reads:

"1. Gasoline storage system must conform in all respects to C-19-60-0 and sub-div. e, f, i, m and n of Section C-19-59 of the Administrative Code."

and

WHEREAS, the proposed building will be 1 story (23 ft.) in height, 199 ft. 10 in. by 648 ft. 9⅞ in. in area of fireproof construction; equipped with a sprinkler system; located in an unrestricted use district and occupied as a garage and repair shop; 200 persons; and

WHEREAS, the applicant contends as to objection 1 of F. P. App. No. 254-38, it proposed to install six (6) 5,000-gallon gasoline storage tanks, to be located in reinforced concrete vaults, mechanically ventilated and constructed in accordance with the conditions required by the Board for large tank installations on similar applications; that the 30,000-gallon storage capacity is required due to the fact that 250 motor coaches, with an average consumption of 50 gallons per coach per day, will be operated from the proposed building; as to Objection 11 on N. B. App. No. 99-38, it is proposed to install a wet sprinkler system and adequate CO_2 or Foamite Extinguishers, since these portable fire extinguishers are more efficient than standpipe lines in combating garage fires; that the building is accessible on three sides; that the neighboring buildings do not constitute a fire hazard, and the proposed building will not increase the fire hazard to neighboring structures; and

WHEREAS, the applicant has submitted revised plans showing the installation of six tanks of 5000 gallons' capacity each.

Resolved, that the decision of the Borough Superintendent in acting on N. B. App. No. 99-38, Objection No. 11, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be a wet sprinkler system installed throughout the building, complying with the requirements of the Building Code and that in addition carbon dioxide or foamite extinguishers of the portable type shall be installed as the Fire Commissioner shall direct; that the decision of the Borough Superintendent in acting on F. P. App. No. 254-38, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted* permitting the installation of six tanks for the storage of gasoline, each tank to have a capacity of not over 5,000 gallons, *on condition* that these tanks shall be constructed within reinforced concrete vaults located below the surface of the floor level, in accordance with revised plans marked "Received July 8, 1938", which plans are hereby approved as meeting the requirements of this Board; that the tanks shall be inspected monthly and record of such inspection shall be made available to the inspector of combustibles; that the ventilating system shall be kept in continuous operation; that there shall be an electrical connection to preclude operation of the dispensing pumps, unless the ventilating exhaust fan is being electrically and simultaneously operated; that this modification shall continue only so long as the building is used as proposed for the storage of motor coaches owned by the New York City Omnibus Corporation or its subsidiaries.

505-38-A.

APPLICANT—Miniature Photo Laboratories, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—625 Lexington avenue, east side, 100 ft. south of East 54th street, 2nd floor (Block No. 1308, Lot No. 21), Borough of Manhattan.

APPEARANCES—

For Applicant: Edward Bruckner.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(505-38-A)

WHEREAS, Miniature Photo Laboratories, Inc., lessee, filed on June 20, 1938, an appeal from an order of the Fire Commissioner, affecting premises 625 Lexington avenue, east side, 100 ft. south of East 54th street, sec-

ond floor (Block No. 1308, Lot No. 21), Borough of Manhattan; and

WHEREAS, the order of the Fire Commissioner, dated May 23, 1938, No. 12865-LC, reads:

"Referring to your application for a permit to conduct a still film laboratory in the building 625 Lexington avenue, Borough of Manhattan, you are hereby notified that such permit cannot be granted for the following principal reasons:

1. Building is occupied as a multiple dwelling. Sec. C19-117-A2.
2. Building is more than three stories in height and is not of fireproof construction. Sec. C19-117-A.
3. Building is not equipped with an approved system of automatic sprinklers. Sec. C-117-A5.

YOU ARE THEREFORE, HEREBY, ORDERED TO:

1. Discontinue the maintenance or operation of a still film laboratory in the above premises."

and

WHEREAS, the building is four stories (39 ft.) in height, 20 ft. by 50 ft. in area, of non-fireproof construction; located in a business use district; erected in 1867; equipped with a sprinkler system in stairway and occupied as follows: 1st floor, store; 2nd floor, office; 3rd and 4th floors, apartments, 4 persons per floor; and

WHEREAS, the applicant contends that the amount of films processed on the premises during two and one-half years of existence, has never averaged more than twenty-five at one time; that there is no substantial reason that the amount of film stated above will increase materially within the next two years; that in drying these films no heating apparatus is used; that the small amount of film constitutes no fire hazard such as to warrant the enforcement of the order, as most of them are kept in metal containers.

Resolved, that the order of the Fire Commissioner, No. 12865-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted* permitting the present occupancy *on condition* that the equipment and operation shall comply with the requirements of the Fire Commissioner.

484-38-A.

APPLICANT—Kleen Wiping Materials Co., for Isidore Klein, lessee.

SUBJECT—Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—315 East 137th street, north side, 200 ft. west of Alexander avenue (Block No. 2313, Lot No. 31), Borough of The Bronx.

APPEARANCES—

For Applicant: Lee Ehrlich.

For Administration: Insp. Maher and Insp. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(484-38-A)

WHEREAS, Kleen Wiping Materials Co., for Isidore Klein, lessee, filed on June 13, 1938, an appeal from an order and a decision of the Fire Commissioner, affecting Premises: 315 East 137th street, north side, 200 ft. west of Alexander avenue (Block No. 2313, Lot No. 31), Borough of The Bronx; and

WHEREAS, Order No. 6726-LC, issued by the Fire Commissioner April 13, 1937, reads:

"Before a permit may be issued for combustible fibre, the following must be done:

1. Separate portion of premises where combustible fibres are stored from the remainder of the building by walls, floor and ceiling protected by fire-retarding material and with all floor openings similarly protected and constructed in a manner approved by the Fire Commissioner. Sec. 24-6; Chap. 12.
2. Submit evidence showing provisions of Workmen's Compensation Act are complied with—or—show that such act does not extend to your business. Sec. 20, Chap. 10, Code of Ordinances.
3. Provide 6 approved water buckets of at least 10 quarts capacity. Buckets to be painted red and marked FIRE with letters not less than two and one-half inches in height. Buckets to be kept full of clean water—same not to be used for any other purpose. Placed on permanent shelves, hooks or racks, same to be not less than two feet nor more than four and one-half feet above the floor. Sec. 9, Chap. 12, Code of Ordinances.
4. Provide adequate aisle space throughout premises."

and

WHEREAS, the said order was repeated in a decision of the Fire Commissioner, dated May 20, 1938; and

WHEREAS, the building is three stories (30 ft.) in height, 25 ft. by 100 ft. in area, of nonfireproof construction, located in a business use district; occupied: Cellar—boiler room; 1st floor—manufacturing soda water, 3 persons; 2nd floor—storage of cotton goods, 1 person; 3rd floor—mfg. artificial Christmas trees, 4 persons. Certificate of Occupancy No. 598-19 was issued February 26, 1919 for storage 150 lbs. live load all floors; and

WHEREAS, the applicant contends as to Item No. 1, that 60% of merchandise is in machine pressed bales, the other 40% in heavy burlap bags; that the need for these bags is due to having to sell smaller quantities than thousand pound bales; that as to Item No. 2 of the order, applicant contends that the Workmen's Compensation Act does not apply since only one person is employed to answer the telephone; that Item Nos. 3 and 4 of the order have been complied with; and

WHEREAS, the records of the Fire Prevention Division indicate that this building was erected in 1906 and that the building has been made to comply with the requirements of the Labor Law for a factory building.

Resolved, that the order of the Fire Commissioner, No. 6726-LC be and it hereby is *modified* and that the appeal as to Item 1 thereof, be and it hereby is *granted on condition* that the certificate of occupancy shall be obtained from the Borough Superintendent of Buildings, permitting this building to be used for factory purposes; that on the 2nd floor affected by this order, the amount of loose material shall at no time exceed 500 lbs. and that the balance of the material shall either be baled or in heavy burlap bags; that such portable firefighting appliances shall be installed as the Commissioner shall direct; that all other items of this order shall be complied with; that the building in all other respects shall comply with all laws, rules and regulations applicable thereto and that the amount of space used shall not contravene the requirements of the Building Zone Resolution for a business use district.

412-38-A.

APPLICANT—Hook Scraper Company, lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—96-85 219th street, east side, 100 ft. north of 97th avenue (Block No. 1696, Lot No. 6), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Christian Mielsem.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0

Absent 0

THE RESOLUTION—

(412-38-A)

WHEREAS, Hook Scraper Company, lessee, filed on May 26, 1938, an appeal from an order of the Fire Commissioner, affecting premises 96-85 219th street, east side, 100 ft. north of 97th avenue (Block No. 1696, Lot No. 6), Queens Village, Borough of Queens; and

WHEREAS, the order, No. 74797-LC, issued by the Fire Commissioner March 28, 1938, reads:

"1. Remove coal stove from the above premises since the heating of building by any method other than by steam or hot water circulating system is not permitted on the same premises where the process of spraying, dipping or immersing, using flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds are commonly used in connection therewith. Rule 1.3.3, Spray Rules.

2. Provide sprinkler heads, installed in accordance with the sprinkler rules of Board of Standards and Appeals, in all spray, dipping or immersing spaces and storage rooms. Rule 6.3, Spray Rules.

Note:—In non-sprinklered buildings, sprinkler connection may be made to the house water supply.

5. Discontinue the use of kerosene oil storage tank for which no plans have been filed and which is in violation of Chapter 19, Title C, Part 1, Article 8."

and

WHEREAS, the said order was repeated in a decision of the Fire Commissioner, dated May 23, 1938; and

WHEREAS, the building is one story (24 ft.) in height, 37 ft. by 100 ft. in area, of frame construction; located in an unrestricted use district; erected in 1922 and occupied for the manufacturing of floor scrapers; and

WHEREAS, the applicant contends the building is heated by oil heaters and one coal stove; the oil heaters are connected to a chimney through the roof; the coal stove is located 125 feet away from the lacquer room; that the lacquer room is enclosed on three sides with partitions of wood studs covered on the loft side with 3/8-inch plaster board and on the east side by the exterior frame wall of the building; that a wood door is provided to the interior of the building; that ventilation is by means of this wood door and two 18-inch fans on the easterly wall adjoining the ten ft. rear yard; that the company, which has been in business at the present location for 12 years, employs 15 or more people, and compliance with the order would be a hardship; that the applicant was not aware that it was necessary to file plans for the oil storage tank, and that a night watchman is maintained on the premises.

Resolved, that the order of the Fire Commissioner, No. 74797-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the lacquer room shall be entirely separated from the rest of the building by fire-retarded partitions consisting of 3/8-inch plaster board on wood studs; that there shall be installed in the lacquer room at least two sprinkler heads, centrally located, these sprinkler heads to be connected to the house supply of the building by means of piping not less than one-half inch in diameter; that the kerosene oil tank shall be disconnected from the piping into the building and all filling of oil stove tanks shall be done outside the building; that the oil stoves shall be of a type approved by the Board of Standards and Appeals and each oil stove shall have a flue direct to the roof.

495-38-A.

APPLICANT—Rose Gilbert, for Gilbert Photo Service, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—104 Lexington avenue, west side, 100 ft. north of East 27th street (Block No. 883, Lot No. 22), Borough of Manhattan.

APPEARANCES—

For Applicant: George R. Bregman and Michael Kappel.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Appeal withdrawn upon request of applicant's representative.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(495-38-A)

WHEREAS, Rose Gilbert, for Gilbert Photo Service, Inc., lessee, filed on June 10, 1938, an appeal from an order of the Fire Commissioner affecting premises: 104 Lexington avenue, west side, 100 ft. north of East 27th street (Block No. 883, Lot No. 22), Borough of Manhattan; and

WHEREAS, the order of the Fire Commissioner, No. 12843-LC, dated May 20, 1938, reads as follows:

"YOU ARE HEREBY ORDERED AND REQUIRED TO:

1.—Discontinue the maintenance or operation of a still film laboratory in the above premises for the following principal reasons:

A—Building is occupied as a multiple dwelling. C19-117 A2.

B—Building is over three (3) stories in height and of nonfireproof construction. C19-117 A4.

C—Building is not equipped with an approved system of automatic sprinklers. C19-117 A5."

and

WHEREAS, the building is three stories in height, of nonfireproof construction, 19 ft. 9 in. by 80 ft. in area, equipped with a sprinkler system in stairhall; located in a business use "B" area district; occupied since May, 1938, as follows: 1st floor—store, 9 persons; 2nd, 3rd and 4th floors—two apartments per floor; and

WHEREAS, the applicant requested that this appeal be withdrawn, as she proposed to vacate the premises and to move to other premises upon which the Board has acted favorably under Application No. 502-38-A.

Resolved, that the appeal be and it hereby is *withdrawn*.

502-38-A.

APPLICANT—Gilbert Photo Service, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—120 East 27th street, south side, 183.4 ft. east of Fourth avenue (Block No. 882, Lot No. 76), Borough of Manhattan.

APPEARANCES—

For Applicant: George R. Bregman and Michael Kappel.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(502-38-A)

WHEREAS, Gilbert Photo Service, Inc., lessee, filed on June 17, 1938, an appeal from an order of the Fire Commissioner, affecting premises 120 East 27th street, south side, 183.4 ft. east of Fourth avenue (Block No. 882, Lot No. 76), Borough of Manhattan; and

WHEREAS, the order, No. 13052-LC, issued by the Fire Commissioner June 14, 1938, reads:

"Referring to your application dated June 1, 1938, for a permit to maintain or operate a still film labora-

tory in the building 120 East 27th street, Manhattan, you are hereby notified that such a permit cannot be granted for the following principal reason:

A. Building is occupied as a private dwelling. Section C19-117.0-2.

YOU ARE HEREBY ORDERED TO:

(1) Discontinue the maintenance or operation of a still film laboratory in the above premises."

and

WHEREAS, the building is 12 stories in height, 66.8 ft. by 98.9 ft. in area, of fireproof construction; equipped with standpipe and sprinkler systems; erected in 1915; located in a business use, "B" area district and occupied since June 15, 1938: 1st floor, store, 5 persons; 2nd floor, manufacture of toilet water and film laboratory, 4 persons; 3rd floor to 12th floor, manufacturing and offices, not more than 20 persons per story; pent house, superintendent's apartment, one person; and

WHEREAS, the applicant contends the only dwelling on the premises is the superintendent's apartment in the penthouse; that not more than 12 or 15 lbs. (3,000 ft.) of 35 mm. films are kept on the premises at any one time.

Resolved, that the order of the Fire Commissioner, No. 13052-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building in all other respects shall comply with the requirements and that the standpipe and sprinkler systems shall be maintained to the satisfaction of the Fire Commissioner and that the handling of nitrocellulose film shall be in accordance with all requirements applicable thereto.

551-38-A.

APPLICANT—Leo V. Berger of Levy & Berger, for Shire Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent.

PREMISES AFFECTED—1220-1226 Broadway and 35 West 30th street, northeast corner (Block No. 832, Lot No. 22), Borough of Manhattan.

APPEARANCES—

For Applicant: Leo V. Berger and Joseph Levy, Jr.

For Administration: Insp. Dahlem and J. Drapkin, Dept. of Housing & Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(551-38-A)

WHEREAS, Leo V. Berger of Levy & Berger for Shire Realty Corporation, owner, filed on June 24, 1938, an appeal from a decision of the Borough Superintendent, affecting Premises: 1220-1226 Broadway and 35 West 30th street, northeast corner (Block No. 832, Lot No. 22), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent on Alt. App. No. 1654-38, dated June 17, 1938, reads:

"9. Thicknesses of structural steel should comply with 8.6.2.6 Building Code; minimum of .20 inch required for steel in interior work and .30 inch for exterior work. Revise plans to conform."

and

WHEREAS, the building, located in a retail use district, is a four-story, office and showroom building with 5% manufacturing; it is proposed to increase the building to 8 stories and pent house (99 ft. 6 in.) in height, 105 ft. 9 in. by 98 ft. 6¾ in. in area; of fireproof construction; erected in 1931 and to be occupied: Cellar—storage and boiler room; 1st floor—stores, 50 persons; 2nd to 8th floors, inclusive, offices and showroom, also 5% manufacturing; 90 persons each floor; pent-house—offices, 30 persons; and

WHEREAS, the building is to be equipped with one interior stairs and one fire tower, both extending from street to roof and each 3 ft. 8 in. wide; of fireproof construction; and

WHEREAS, the applicant contends that a modification of the Building Code is requested as only the spandrel beams are involved and that all steel is properly encased in approved fireproofing and is not exposed; that all such steel has been investigated for loads, tortion and deflection, and in most instances has been over designed.

Resolved, that the decision of the Borough Superintendent in acting on Alt. App. No. 1654-38, Objection No. 9, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the spandrel beams on the proposed four upper stories shall be equivalent to the beams as approved for the present four stories under the Code provisions then in force.

598-38-A.

APPLICANT—Consolidated Expanded Metal Company, for Clover Building Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—15-25 Crooke avenue, north side, 281 ft. 1¼ in. west of St. Pauls place (Block No. 5058, Lot Nos. 57-60), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles Rattner.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(598-38-A)

WHEREAS, Consolidated Expanded Metal Company, for Clover Building Corporation, owner, filed July 11, 1938, an appeal from a decision of the acting borough superintendent of buildings affecting premises: 15-25 Crooke avenue, north side, 281 ft. 1¼ in. west of St. Pauls place (Block No. 5058, Lot Nos. 57-60), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent, dated July 8, 1938, on N. B. Application 9854-38, reads:

"Specify on amend. papers that not more than two stories of lath will be applied to studs in advance of the scratch coat of plaster—Sec. 8.4.10.2."

and

WHEREAS, the proposed building will be 6 stories (62 ft. 7 in.) in height, 91 ft. 10 in. by 109 ft. 6 in. in area, of non-fireproof construction, to be located in a residence use, "C" area district and occupied throughout as a Class "A" Multiple Dwelling; and

WHEREAS, it is proposed to use Jumbo expanded metal reinforcing lath with flameproof backing throughout the building, this lath, in the event of fire, will form an effectual fire stop; that to restrict this use of the material to a portion of the building is economically unfeasible; and

WHEREAS, the material involved has been submitted to the board for general approval and has not been approved because of the weight of lath, 2.2 pounds per sq. yd., not including paper backing, or 2.86 pounds per sq. yd., with paper backing, being less than the legal requirements; and

WHEREAS, in the opinion of this board, this lath can be classified as incombustible inasmuch as tests have indicated that the paper backing has been treated to render it not readily burnable.

Resolved, that the decision of the Borough Superintenednt, in acting on Applic. No. N. B. 9854-1938, be and it hereby is *modified,* and that the appeal be and it hereby is *granted,* permitting the use of Jumbo expanded metal lath, weight 2.2 pounds per sq. yd., not including paper backing, or 2.86 pounds per sq. yd., with paper backing, as

proposed, and permitting the building to be lathed at one time, *on condition* that the plaster shall be carefully troweled to insure adequate clinch; that in all other respects the lath shall be installed in accordance with the requirements of the Building Code for metal lath, except that the required wiring may be omitted.

346-38-A.

APPLICANT—Oscar Goldschlag for M. & H. Realties, Inc., lessee.

SUBJECT—Application for consideration—reopening and reconsideration under new proposal re Appeal from a decision of the borough superintendent of buildings (previously denied by the Board).

PREMISES AFFECTED—2473-2475 Broadway and 252-254 West 92nd street, southwest corner (Block No. 1239, Lot No. 55), Borough of Manhattan.

APPEARANCES—

For Applicant: Oscar Goldschlag.

For Administration: Insp. Dahlem, Dept. of Housing & Buildings.

ACTION OF BOARD—Appeal reopened and granted on condition.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO GRANT ON CONDITION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(346-38-A)

WHEREAS, Oscar Goldschlag, for M. & H. Realties, Inc., lessee, filed on May 9, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 2473-2475 Broadway and 254 West 92d street, southwest corner (Block No. 1239, Lot No. 55), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alt. App. 831-38, dated May 6, 1938, reads as follows:

"27—Means of egress may not be reduced. Note elimination of existing 6 ft. wide stairway. Same is unlawful unless exits conform to 6.1.2 Building Code, Section 6.1.6 Building Code."

and

WHEREAS, the building is two stories, 35 feet, in height, 50 ft. by 100 ft. in area, of nonfireproof construction; located in a business use district; erected in 1930 and to be occupied as follows: Cellar—boiler room and storage—no persons; 1st floor—stores and restaurants, 260 persons; 2nd floor—offices and showrooms, 75 persons; and

WHEREAS, certificate of occupancy No. 18916 permits the occupancy of the building as follows: Cellar—storage, 10 persons; 1st floor—store, 75 persons; 2nd floor—restaurant with dancing, 250 persons; mezzanine-restaurant, 70 persons; and

WHEREAS, this appeal was denied by the board, June 1, 1938, and applicant requested a reopening of the case, on the basis of an objection dated June 21, 1938, reading smiliar to above objection of May 6, 1938, and a reduction of occupancy to 75 persons above 1st story.

Resolved, that the decision of the Borough Superintendent, in acting on Alt. App. No. 831-38, dated May 6, 1938, as reissued June 21, 1938, Objection No. 29 be and it hereby is *modified*, permitting the removal of the stairway leading to Broadway, *on condition* that the existing 6-ft. stairway at the rear shall be maintained; that the 2nd floor shall be used for offices and showroom only with a total occupancy of not over 75 persons; that there shall be no connection between the restaurant on the 1st floor and the 2nd floor; *on further condition*, in the event of a restaurant or other occupancy deemed by the Superintendent to be of a public nature or hazardous, the legal second means of exit shall be restored and that in all other respects all laws, rules and regulations applying to this building and occupancy shall be complied with.

88-33-A.

APPLICANT—William F. Regan, for E. H. Carroll, lessee.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—North side of Second avenue, 2311.7 ft. from the corner of Second avenue and 36th street (Block No. 662, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: William F. Regan and Eugene Carroll.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(88-33-A)

WHEREAS, this appeal affects premises north side of Second avenue, 2311.7 ft. north from the corner of Second avenue and 36th street (Block No. 662, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, this appeal was granted by the board June 6, 1933, amended September 17, 1935, October 22, 1935, June 16, 1936, and July 20, 1937, and appellant requested a further amendment.

"Resolved, that the decision of the fire commissioner be and it hereby is *modified* and the appeal be and it hereby is granted on condition that the plant shall be constructed substantially as shown on the plans filed with this appeal marked 'Received on March 2, 1933,' except that there shall be a distance of 125 ft. in clear space not built upon for the full width between the bulkhead line and the most northerly dike around the storage tanks Nos. 3 and 4; that from the loading rack shown on the southerly end there shall be maintained an open space not built upon for the full width of at least 125 ft. from that point southerly to any existing or future building; except that there may be erected near the southerly lot line to the west a two-story office building constructed of fireproof materials not exceeding in ground area 25 ft. by 25 ft.; that the concrete dikes shall be constructed of reinforced concrete and made proof against seepage of gasoline through the floor or walls thereof; that expansion joints shall be provided in the dike walls approximately every 25 ft., these expansion joints to be made proof against leakage and protected with metal strips at least 6 in. in width and at least ½ in. thickness for the entire height of the joint; that each dike enclosure shall have a capacity of one and one-half times the capacity of the steel tank erected therein; that the structure shall be constructed so as to eliminate the possibility of settlement or cracking of the dike enclosure; that the tanks may be 30 ft. in diameter by 30 ft. in height instead of 42 ft. in height, is shown, in which case the maximum capacity shall not exceed 160,000 gallons of gasoline; that the entire plant shall

be equipped with duplicate foamite fire-extinguishing equipment, each to be located on the southerly end of the area not less than 100 ft. from the tanks and installed in a fireproof enclosure; these duplicate systems to be at least 100 ft. apart and each to have in a separate near-by fireproof enclosure a pumping equipment adequate to control with sufficient supply of foamite any fire that may occur; that such additional auxiliary fire-fighting equipment shall be installed as may be required; that in the event the owner desires to use the tanks herein permitted for fuel oil, there may be installed in addition, a gasoline storage tank with a capacity of not more than 14,000 gallons, located as shown on plan marked 'Received June 26, 1935,' this tank shall not exceed 7 ft. in diameter and shall be buried approximately 6 ft. below the grade of the dock; that above the tank shall be solid earthfill so that at all points the tank is covered with earthfill for a distance of not less than 2 ft.; that in connection with this tank, approved gasoline pump may be installed for servicing trucks; *that in the space between the bulkhead line and the most northerly dike, required hereinbefore as* 125 *ft. in the clear, there may be erected two* (2) 160,000-*gallon tanks for the storage of No.* 6 *oil, on condition that similar dikes shall be constructed as herein required; that the tank shall be supported on piles; that the foamite system shall be extended to protect these additional tanks; that the tanks shall be located, substantially as indicated on revised plan marked 'Received June* 24, 1938'; *that each tank shall be in a separate dike enclosure; that each tank shall bear a label painted on the tank in letters not less than one foot high, showing that only No.* 6 *oil is stored therein; that such sign shall be painted so as to be easily read both from the water side and the land side; that complete working drawings, showing the installation of these additional tanks, shall be submitted for approval of the Chairman in behalf of the Board.*"

VARIATIONS OF LABOR LAW

507-38-S.

APPLICANT—Saul Goldsmith, for Kolb Holding Corporation, owner.

SUBJECT—Variation of the labor law as cited in a decision of the acting borough superintendent of buildings.

PREMISES AFECTED—329 Myrtle avenue, north side, 79 ft. west of Carlton avenue (Block No. 2043, Lot No. 89), Borough of Brooklyn.

APPEARANCES—

For Applicant: Saul Goldsmith and George M. Goldman.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(507-38-S)

WHEREAS, Saul Goldsmith, for Kolb Holding Corporation, owner, filed June 20, 1938, a petition for a variation of the Labor Law, as cited in a decision of the acting borough superintendent of buildings, affecting premises 329 Myrtle avenue, north side, 79 ft. west of Carlton avenue (Block No. 2043, Lot No. 89, Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, dated June 13, 1938, re Applic. No. 7189-1938, reads:

"1. Comply with section 270 of Labor Law, as to required exits for buildings erected after October 1, 1913, as rear part of building was raised in height an additional story under permit No. 4161-1932."

and

WHEREAS, the building is three stories (33 ft.) in height, 22 ft. by 85 ft. in area, erected about 1872 and occupied: Cellar—storage; 1st, 2nd and 3rd floors—designing on linen—5 employees; existing certificate of occupancy No. 69059 was issued November 30, 1932, for studio, designing on linen—not over 5 persons in the entire building; the building is equipped with one interior 3 ft. wide steel stairs extending from top story to street, enclosed in fire-retarded partitions, equipped with fireproof doors, at openings, and one exterior stairs located at the rear with landing in yard and with ladder to roof with fireproof windows on the course of the stairway; and

WHEREAS, the applicant contends that the original building was 4570 sq. ft. in area; that the extension erected in 1932, under permit No. 4161, is 1130 sq. ft. in area; that the ceilings throughout are fire-retarded; and requests a modification of the decision of the Borough Superintendent; and

WHEREAS, it appears that this building was erected in part prior to 1913, but was not used for factory purposes until extended in area and in height, as to the rear and completely remodelled in 1932; that at that time a certificate of occupancy was issued,, which did not require compliance with the structural requirements of the Labor Law, inasmuch as not more than five persons were to be employed; that under the decision of the Court in Delman Inc. vs. the Board, this building must be classed as a hereafter constructed building, in view of the renovations and additions; and

WHEREAS, in the opinion of the board, after inspection of the premises, a variation of the strict provisions would be justified, in view of the low height and small area, under proper conditions and safeguards to carry out the intent of the law.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, and that the application be and it hereby is *granted,* as to decision of June 13, 1938, Applic. No. 7189-1938, permitting the building to be occupied as a factory, *on condition* that the building shall not be further increased in height or area; that all rear and side lot windows shall be fireproof; that there shall be an easy openable scuttle from the 3rd floor to the roof toward the Myrtle Avenue front with a stationary steel ladder leading thereto; that the existing wood ladder within the stairway leading to a fixed skylight shall be removed; that the primary means of exit shall be enclosed in fire-retarded partitions consisting of metal lath and cement plaster on wood studs, with fireproof, self-closing doors at the exit; that the second means of exit shall be an exterior stairway not less than 2 ft. 8 in. in width opening from each upper floor with gooseneck extension to the roof and with direct exit to Myrtle avenue through an unobstructed side yard; that the gate at the street line of the side yard shall be so arranged as to be always openable during working hours, from the inside; that the grating in the alley, furnishing air for the basement shall be reconstructed to be safe; that the approved carrying capacity of the rear portion of the building, 120 lbs. per sq. ft. and the front portion, 55 lbs. per sq. ft. shall not be exceeded; that the occupancy per floor shall not exceed the legal capacity for the primary means of exit; that the oil burner system shall comply with the Oil Burner Rules of the Board of Standards and Appeals and that in all other respects the building and occupancy shall comply with the Labor Law and all other laws, rules and regulations applicable to the building and occupancy.

550-38-S.

APPLICANT—Leo V. Berger of Levy & Berger, for Shire Realty Corporation, owner.

SUBJECT—Variation of the labor law as cited in a decision of borough superintendent.

PREMISES AFFECTED—1220-1226 Broadway and 35 West 30th street, northeast corner (Block No. 832, Lot No. 22), Borough of Manhattan.

APPEARANCES—

For Applicant: Leo V. Berger and Joseph Levy, Jr.

For Administration: Inspector Dahlem and J. Drapkin, Department of Housing & Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(550-38-S)

WHEREAS, Leo V. Berger of Levy & Berger, for Shire Realty Corporation, owner, filed on June 24, 1938, an application for a variation of the Labor Law as cited in decision of the Borough Superintendent, affecting premises: 1220-1226 Broadway and 35 West 30th street, northeast corner (Block No. 832, Lot No. 22), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent on Alt. App. No. 1654-38, dated June 17, 1938, reads:

"3. Windows on all floors of building, in existing portion of building as well as in new portion should be fireproof windows conforming to Sec. 264-7 Labor Law and Rule 503 Industrial Code and so specified. Sec. 264-7 Labor Law.

4. Fire tower provided does not conform to Sec. 266 Labor Law in that openings occur in enclosure walls in first story doors from balconies opening into the stairways apparently reduce free passageway of landings to a width less than the width of the stairs, and doors to balconies from building are not fire doors conforming to Rule 503 Industrial Code."

and

WHEREAS, the building is a four-story, office and showroom building with 5% manufacturing, of fireproof construction erected in 1931, 105 ft. 9 in. by 98 ft. 6¾ in. in area; it is proposed to increase the height to 8 stories and pent-house (99 ft. 6 in.) to be occupied: Cellar—storage and boiler room; 1st floor—stores, 50 persons; 2nd to 8th floors, inclusive—offices, showroom and 5% manufacturing, 90 persons each floor; pent-house—offices, 30 persons; and

WHEREAS, the building is equipped with one interior stairs and one fire tower, both extending from street to roof and each 3 ft. 8 in. wide; of fireproof construction; and

WHEREAS, the applicant contends that the existing windows on both streets at 1st, 2nd and 3rd floors are plate glass windows in metal frames, and all other existing and new work will comply with the Labor Law and Industrial Code; that due to the fact that these windows are existing and in metal frames throughout, and the excessive cost and hardship involved in disturbing same, a variation of the Labor Law is requested, to permit the existing windows to remain; that as the height of the main building as proposed will be less than 100 ft. and the pent-house does not exceed 12 ft. in height, it does not occupy more than 30% of the roof area and should be considered a roof structure as defined in Section 1.107 of the Building Code and not a story; that the exit at the rear has been designed as a fire tower even though Section 270, Subdiv. 3 of the Labor Law does not require a fire tower, since the building is not over 100 ft. in height, and a variation is requested to permit the doors from the public hall to fire tower balconies to have wire-glass panels as shown on alteration plans and to permit the present three openings between the first floor freight hall and public hall and between the freight hall and freight elevator and from freight hall to Store No. 1 to remain as at present with fireproof, self-closing doors on one side only.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent in acting on Alt. App. No. 1654-38, and that the application be and it hereby is *granted* as to Objection 3, *on condition* that the windows in all stories other than the 1st, 2nd and 3rd stories, shall comply with the requirements of the Labor Law and that the windows on the 1st, 2nd and 3rd stories shall have metal frames and sash and be glazed with plate glass not less than ¼ in. in thickness; and, *granted* as to Objection 4, *on condition* that the fire tower shall comply in all respects with the requirements of Section 266 of the Labor Law, except that the doors leading from the public hall on all upper floors to the exterior balcony, may be glazed with glass panels not exceeding 9 sq. ft. on the four lower stories and 5 sq. ft. on the four upper stories, *on condition* that the glass shall be polished wire plate glass, no single light to exceed 360 sq. in.; that on the exit corridor to 30th street, there may be doors opening to the combination freight and passenger elevator and to the public hall and to the store, provided such doors shall be fireproof, self-closing and without glass panels, and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

521-37-S.

APPLICANT—De Rose & Cavalieri, for Bowery Savings Bank, owner.

SUBJECT—Application for consideration—reopening and reconsideration under new proposal—re Variation of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2999 Third avenue, west side, 51 ft. 5 in. north of East 154th street, and 698-700 Elton avenue (Block No. 2376, Lot No. 51), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. DeRose.

For Administration: Insp. Thiede, Dept. of Housing and Buildings.

ACTION OF BOARD—Application reopened and granted on condition.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO GRANT ON CONDITION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(521-37-S)

WHEREAS, DeRose & Cavalieri, applicants, for the Bowery Savings Bank, owner, filed on November 3, 1937, an application for a variation of the Labor Law, as cited in a decision of the commissioner of buildings, affecting premises 698-700 Elton avenue and 2999 Third avenue, west side, 51.44 ft. north of East 154th street (Block No. 2376, Lot No. 51), Borough of The Bronx; and

WHEREAS, the decision of the commissioner of buildings on Alt. App. No. 743-37, dated October 4th, 1937, read as follows:

"1. Stairways must be enclosed by fireproof partitions in compliance with subdivision 4 of section 27 of the Labor Law.

2. All stairways must lead continuously to the street or to a fireproof passageway leading to the street independent of other exits, as per subdivision 4 of section 270 of the Labor Law."

and

WHEREAS, the building in question is three and four stories, 48 ft. 9 in. in height, 51 ft. 5 in. by 121 ft. 3 in. in area, erected in 1925, occupied as follows: Cellar—boiler room, no persons; 1st floor—stores and storage, 10 persons; 2nd floor—showroom and factory, 60 persons; 3rd and 4th floors—factory, 60 persons each; for which certificate of occupancy No. 1421-1925 was issued. The building is equipped with two interior stairs, constructed of slate treads and platforms on steel, enclosed with a partition of wood studs, wire lath and Portland cement plaster on both sides; equipped with kalamein self-closing doors at the openings; and

WHEREAS, the applicant contends that it is proposed to make the following alterations:

1st story—

Fire retard ceiling of south store and storage space along southerly building wall occurring beneath new exit passageway on the 2nd story along south.

2nd story—

1. Create additional toilet room for females, east of the inner court along the northerly building wall.

2. Create exit passageway from the bottom of east stairway to the entrance hall on Elton avenue, entirely of fire-retarded construction.

3. Provide a fire-retarded enclosure around the existing stairs at southwest, which leads to the storage space on the first story.

3rd story—

1. Create additional toilet room for females, east of inner court along the northerly building wall.

2. Rearrange exit facilities at entrance to westerly stairway.

4th story—

1. Create additional toilet room for females, east of inner court, along the northerly building wall.

and

WHEREAS, this appeal was denied by the board as to items No. 1 and No. 2, January 4, 1938, and applicant requested a reopening of the case and a modification of item No. 4 of the decision of the superintendent of buildings, reading:

"4. Stairways must be arranged so that they will be remote from each other, section 290 of the Labor Law."

and

WHEREAS, the application was reopened by vote of the board July 12, 1938; and

WHEREAS, the applicant contends that the stairs are existing and that the line of travel to said stairs is under 60 ft; and

WHEREAS, the board deemed that considering the area of the building, the stairs were sufficiently remote.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in decision of the commissioner of buildings, in acting on Objection 4, Alt. App. No. 743-37, and that the application be and it hereby is *granted on condition* that no door to an approved exit on the upper floors shall be farther than 60 ft. from any portion of the floor area; that one stairway shall exit to Third avenue and one to Elton avenue and that in all other respects the building and occupancy shall comply with the Labor Law and all other laws, rules and regulations applicable thereto, and that the decision of the commissioner of buildings as to items 1 and 2 be *affirmed* and the application as to these items be *denied*.

APPLIANCES SUBMITTED FOR APPPROVAL

567-28-SA.

APPLICANT—Reif-Rexoil, Inc., for H. W. Hillman, owner.

SUBJECT—Application for reopening—amendment—re Approval of Reif-Rexoil Domestic and Industrial Fuel Oil Burner.

APPEARANCES—

For Applicant: W. R. Rich and F. R. Rich.

ACTION OF BOARD—Application reopened and referred to engineer of the Board, for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

400-32-SA.

APPLICANT—Arnold M. Goldstein, for Perfection Stove Co., owner.

SUBJECT—Superfex Oil Burner Warm-Air Furnace, Models 101E, 101, 100E, 100, 200E, 200, 300E and 300, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of the engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(400-32-SA).

WHEREAS, this application, for approval of this device known as the Superfex Oil Burner for Warm Air Furnaces, was approved by the board, January 20, 1933, resolution amended April 17, 1934 and September 25, 1934, and applicant requested a further amendment; and

WHEREAS, this case was reopened and referred to the engineer of the board for test and report; and

WHEREAS, the report of the engineer, supplemented by that of the representatives of the Division of Combustibles of the Fire Department, was as follows:

Re: Cal. No. 400-32-SA.
Superfex Oil Burner Warm Air Furnace, Models 101E, 101, 100E, 100, 200E, 200, 300E and 300.

July 12, 1938

These are warm air furnaces, equipped with the Superfex Oil Burner, used for heating and air-conditioning purposes. The oil-burning equipment used in these various models is identical with the equipment already approved for hot air furnaces.

The burner is of the mechanical draft, vaporizing type, the burner itself comes in two sizes. The Models 100-100E and 101-101E being eighteen inches in diameter and the Models 200-200E and 300-300E being twenty inches in diameter.

Ignition:

The burner is put into operation manually and from then on works automatically.

Controls:

The supply of oil is controlled and governed by means of a constant level valve manufactured by THE AUTOMATIC PRODUCTS COMPANY.

Mounted upon the constant level valve is a mercoid regulating switch, which regulates the flame, as determined by the setting of the thermostat. A mercoid limit switch set at 250° F., prevents overheating.

The Model 100E was tested and it was found that all the controls functioned as designed. The other models were examined and the only difference in them is that they are furnished in a different housing and the capacity of the booster fans for circulating air are larger as the numbers of the model increase.

As a result of this inspection and test, it is recommended that the Superfex Oil Burner, Models 101E and 101, 100E and 100, 200E and 200; 300E and 300—be approved for domestic and commercial use, when

installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, with fuel oil not heavier than No. 2, U. S. Dept. of Commerce Standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Superfex Oil Burner (for Warm Air Furnaces), Models 101, 101E, 100, 100E, 200, 200E, 300 and 300E for domestic and commercial installations, use with fuel oil not heavier than No. 2, U. S. Dept. of Commerce Standards, when installed in accordance with the above report and with the Oil Burner Rules of the Board of Standards and Appeals, *on condition* that the device shall bear a label permanently affixed thereto reading:

APPROVED BY THE
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 400-32-SA.

167-38-SA.

APPLICANT—Sloan Valve Company, owner.

SUBJECT—Sloan Vacuum Breaker, Model V-60-A (Plumbing Device), approval of.

APPEARANCES—
For Applicant: J. L. Murphy.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the Board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(167-38-SA)

WHEREAS, the Sloan Valve Company, owner, filed March 11, 1938, an application with the Board of Standards and Appeals for the approval of the device known as the Sloan Vacuum Breaker, Model V-60-A (Plumbing Device); and

WHEREAS, the device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board was substantially as follows:

Re: Cal. No. 167-38-SA.
Subject: Approval of Sloan Vacuum Breaker, Model V-60-A (Plumbing Device).

July 12, 1938

An inspection and test of this device was made at No. 30 Vanderwater street on the test bench of the Department of Water Supply, Gas and Electricity.

The testing apparatus, designed to test fixtures and valves for siphonage, is constructed to simulate a house riser and subjects the units under test to normal negative pressure such as may be created in house distribution piping. The piping simulating the riser is 50 ft. of 2-inch diameter with two offsets; it is equipped with a quick-closing valve at its lower outlet, which is 34 ft. 6 in. below the elevation of the fixtures to be tested. The volume of water dropping in this line under negative pressure conditions approximates 8.6 gallons. The maximum negative head which may be developed by this arrangement is equivalent to 26 in. of mercury.

Those anti-siphon devices submitted for test which are designed to be used in conjunction with flushometer valves only were not tested until the flushometer was adjusted to a normal flow, which approximates duration of 7 seconds at the rate of approximately 30 gallons per minute and a consumption volume of approximately 4 gallons.

The morning tests involving apparatus submitted by the Crane Company and the Sloan Valve Company were attended by Mr. L. R. Bauer of the Crane Company; Mr. P. C. Platt of the Sloan Valve Company; Mr. L. V. Huber, Engineer for the Board of Standards and Appeals; and Chief Inspectors O. J. Burke and James R. Smith of the Department of Water Supply, Gas and Electricity.

The Sloan Vacuum Breaker, Model V-60-A, Catalogue No. 35, Page 9, Standards and Appeals, Cal. No. 167-38-SA, was subjected on the test bench to a vacuum of 26 in. of mercury, with siphon jet bowl filled to overflowing with a urinine-colored water to simulate contamination. The connection between the vacuum breaker and the bowl was made by means of a glass tube which permitted a visual test as to whether the contaminated water showed any indication of a partial vacuum. Tests failed to show any elevation of discolored water in the glass tube, nor was there any evidence of the discolored water having been drawn into the riser.

The unit, which is fitted for 1¼ in. piping, is self-contained with no means of vent drainage and the airway afforded is of the same area as the piping to the bowl. The mechanical principle of this valve is a lever arrangement normally in position admitting air into the unit, placed on the outlet side of the flushometer valve. Upon being subjected to a flow of water, the lever arrangement automatically seals the air vent and opens the waterway to the fixture, the lever returning to a horizontal position as soon as the flow ceases, thereby admitting air into the pipe, effectually preventing siphonage. The unit operates with each and every flow from the flushometer valve into the bowl. Frequent flushings and two tests on the vacuum failed to show any spitting or moisture from the airport.

These tests indicate that this unit is efficient and satisfactory for installation under the requirements of Section 14.8.2.8 of the Building Code.

It is recommended that the SLOAN VACUUM BREAKER, MODEL V-60-A, be approved for use in New York City as a vacuum breaker under section (14.8.2.8.B.C.) C-26-1277.0 h. Admin. Code, on condition that the device bear a label reading "Approved by the Board of Standards and Appeals for Use in New York City—Cal. No. 167-38-SA."

(Sgd.) LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Sloan Vacuum Breaker, Model V-60-A (Plumbing Device), when installed and operated in accordance with the above report.

174-38-SA.

APPLICANT—L. R. Bauer, for Crane Company, owner.

SUBJECT—Novac Flush Valve—Vacuum Breaker (Plumbing Device), approval of.

APPEARANCES—
For Applicant: J. L. Murphy.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the Board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(174-38-SA)

WHEREAS, L. R. Bauer, for Crane Company, owner, filed March 14, 1938, an application with the Board of Standards and Appeals for the approval of the Novac Flush Valve (Vacuum Breaker), Plumbing Device; and

WHEREAS, the device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board was substantially as follows:

Re: Cal. No. 174-38-SA.
Subject: Approval of Novac Flush Valve.

MINUTES

July 12, 1938

An inspection and test of this device was made at No. 30 Vandewater street on the test bench of the Department of Water Supply, Gas & Electricity.

The testing apparatus, designed to test fixtures and valves for siphonage, is constructed to simulate a house riser and subjects the units under test to normal negative pressures such as may be created in house distribution piping. The piping simulating the riser is 50 ft. of 2-inch diameter with two offsets; it is equipped with a quick-closing valve at its lower outlet, which is 34 ft. 6 in. below the elevation of the fixtures to be tested. The volume of water dropping in this line under negative pressure conditions approximates 8.6 gallons. The maximum negative head which may be developed by this arrangement is equivalent to 26 in. of mercury.

Those anti-siphon devices submitted for test which are designed to be used in conjunction with flushometer valves only were not tested until the flushometer was adjusted to a normal flow, which approximates duration of 7 seconds at the rate of approximately 30 gallons per minute and a consumpton volume of approximately 4 gallons.

The morning tests involving apparatus submitted by the Crane Company and the Sloan Valve Company were attended by Mr. L. R. Bauer of the Crane Company; Mr. P. C. Platt of the Sloan Valve Company; Mr. L. V. Huber, Engineer for the Board of Standards and Appeals; and Chief Inspectors O. J. Burke and James R. Smith of the Department of Water Supply, Gas and Electricity.

The third test was of the Crane Company Novac Flush Valve (ball-cock); Catalogue No. PB7816-A; Board of Standards and Appeals, Cal. No. 174-38-SA. This unit is an anti-vacuum ball-cock for governing water supply to water closet tank and was tested in the water tank of the Crane Company "Manor" water closet.

The mechanical principle of this unit is a lever arrangement with a cam operating a disk against pressure to admit water into the tank and is designed so that on the negative pressure conditions the disk is in an open position, admitting air into the water supply pipe. The ball-cock must be at least ½ in. above the overflow level of the tank and the tank cover must be arranged to admit sufficient air to permit effectually breaking any vacuum through the airport of the ball-cock.

The connection to the ball-cock was equipped with a glass tube in the supply piping below the overflow level of the water in the tank and in the bowl. The water closet bowl was flooded with urinine-colored water and the plunger from the water tank to the bowl was operated several times, thus drawing the discolored water into the water tank. The unit was then subjected to a vacuum of 26 in. of mercury and no trace of colored water appeared at the foot of the riser or in the glass tube.

These tests indicate that this unit is efficient and satisfactory for installation under the requirements of Section 14.8.2.8 of the Building Code.

It is recommended that the NOVAC FLUSH VALVE be approved for use in New York City, under Section (14.8.2.8 B.C.) C.26-1277.0-h, Adm. Code, on condition that the device bear a label reading: "Approved by the Board of Standards and Appeals for use in New York City—Cal. No. 174-38-SA."

(Sgd.) LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Novac Flush Valve (Vacuum Breaker), Plumbing Device, when installed and operated in accordance with the above report.

270-38-SA.

APPLICANT—Modesto Callejo, owner.

SUBJECT—Bidoro Vacuum Breaker, Type D (Plumbing Device), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the Board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(270-38-SA)

WHEREAS, Modesto Callejo, owner, filed April 18, 1938, an application with the Board of Standards and Appeals for the approval of the device known as the Bidoro Vacuum Breaker, Type D, (Plumbing Device); and

WHEREAS, the device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board was substantially as follows:

Re: Cal. No. 270-38-SA.
Bidoro Vacuum Breaker, Type D.

July 12, 1938

An inspection and test of this device was made at 30 Vanderwater street on the test bench of the Department of Water Supply, Gas and Electricity.

The testing apparatus, designed to test fixtures and valves for siphonage, is constructed to simulate a house riser and subjects the units under test to normal negative pressures such as may be erected in house distribution piping. The piping simulating the riser is 50 ft. of 2-inch diameter with two offsets; it is equipped with a quick closing valve at its lower outlet, which is 34 ft. 6 in. below the elevation of the fixtures to be tested. The volume of water dropping in this line under negative pressure conditions approximates 8.6 gallons. The maximum negative head which may be developed by this arrangement is equivalent to 26 in. of mercury.

Those anti-siphon devices submitted for test which are designed to be used in conjunction with flushometer valves only were not tested until the flushometer was adjusted to a normal flow, which approximates duration of 7 seconds at the rate of approximately 30 gallons per minute and a consumption volume of approximately 4 gallons.

The test on this device was conducted in the afternoon, starting at 3 P. M., such tests being attended by Mr. M. Callejo, representing the Bidoro Manufacturing Co., Mr. L. V. Huber, Engineer of the Board of Standards and Appeals, Chief Inspectors O. J. Burke and James R. Smith of the Department of Water Supply, Gas and Electricity, and for part of the time by Commissioner Joseph Goodman of the Department of Water Supply, Gas and Electricity.

The first unit tested at this session was the Bidoro 1 in. Vacuum Breaker, Type D, for flushometer or other submerged inlets, Board of Standards & Appeals Calendar No. 270-38-SA. This unit is equipped with a waste and air vent in the form of a drain pipe to basin, sink or other fixture.

The mechanical principle of the unit is a plunger which under flow of water pressure opens a port for waterway and automatically closes an air vent. Under atmospheric pressure or vacuum the plunger drops by gravity closing the waterway and opening the airport which is connected to the pipe drain above referred to, thus admitting air into the pipe to prevent a vacuum.

This unit was connected to a siphon jet water closet at a point between the flushometer valve and the water closet. The unit was operated a number of times and the amount of water draining from the vent pipe was in "drop" form and negligible. The water closet was

flooded with urinine colored water to a point of overflow to simulate contamination. The unit was subjected to a vacuum of 26 in. of mercury. No discolored water was noted from the discharge at the foot of the riser nor was there any lowering of elevation of the colored water in the bowl which would indicate partial vacuum.

These tests indicate that this unit is efficient and satisfactory for installation under the requirements of Section 14.8.2.8 of the Building Code.

The second test at this session was that of the Bidoro ½ in. Vacuum Breaker, Type D, designed for small submerged water inlets.

The mechanical principle of this unit is the same as that of the 1 in. unit above referred to. This unit was installed on a ¾ in. pipe on the outlet side of the gate valve with glass tubing on the outlet side of the vacuum breaker. The end of this glass tube was submerged to a depth of approximately 3 in. in a bowl of urinine colored water, simulating contamination. The unit was subjected to a vacuum of 26 in. of mercury and no colored water appeared at the outlet at the foot of the riser. The colored water showed in the glass tubing to an elevation of approximately 2¼ in. above the level of the water in the bowl, indicating that a slight partial vacuum is developed at the time of the closing of the waterway and the opening of the air vent by the plunger.

The water showing at the vent pipe was in "drop" form and in negligible quantity. The slight partial vacuum developed by this unit is negligible and insufficient to flood the anti-vacuum unit when placed, in accordance with good practice, above the flood rim of the fixture; it also aids in breaking the siphonage action in the riser.

These tests indicate that this unit is efficient and satisfactory for installation under the requirements of Section 14.8.2.8 of the Building Code.

It is recommended that the Bidoro Vacuum Breaker, Type D, be approved for use in New York City as a vacuum breaker under Section 14.8.2.6 C.26-1277.0 h, Adm. Code, on condition that the device bear a label reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 270-38-SA."

(Sgd.) LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Bidoro Vacuum Breaker, Type D (Plumbing Device), when installed and operated in accordance with the above report.

345-38-SA.

APPLICANT—Crane Company, owner.

SUBJECT—Approval of Vigilant Vacuum Breaker (Plumbing Device), manufactured by Crane Company.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the Board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(345-38-SA)

WHEREAS, Crane Company, owner, filed May 9, 1938, an application with the Board of Standards and Appeals for the approval of the device known as the Vigilant Vacuum Breaker (Plumbing Device); and

WHEREAS, the device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board was substantially as follows:

Re: Cal. No. 345-38-SA.
Vigilant Vacuum Breaker.

July 12, 1938

An inspection and test of this device was made at 30 Vanderwater street on the test bench of the Department of Water Supply, Gas and Electricity.

The testing apparatus, designed to test fixtures and valves for siphonage, is constructed to simulate a house riser and subjects the units under test to normal negative pressures such as may be created in house distribution piping. The piping simulating the riser is 50 ft. of 2-inch diameter with two offsets; it is equipped with a quick closing valve at its lower outlet, which is 34 ft. 6 in. below the elevation of the fixtures to be tested. The volume of water dropping in this line under negative pressure conditions approximates 8.6 gallons. The maximum negative head which may be developed by this arrangement is equivalent to 26 in. of mercury.

Those anti-siphon devices submitted for test which are designed to be used in conjunction with flushometer valves only were not tested until the flushometer was adjusted to a normal flow, which approximates duration of 7 seconds at the rate of approximately 30 gallons per minute and a consumption volume of approximately 4 gallons.

The morning tests involving apparatus submitted by the Crane Company and the Sloan Valve Company were attended by Mr. L. R. Bauer of the Crane Company; Mr. P. C. Platt of the Sloan Valve Company; Mr. L. V. Huber, Engineer for the Board of Standards and Appeals, and Chief Inspectors O. J. Burke and James R. Smith of the Department of Water Supply, Gas and Electricity.

The second test conducted was that of the Crane Company Vigilant Vacuum Breaker for Flush valves; Catalogue No. C-31275; Board of Standards & Appeals Calendar No. 345-38-SA. This unit is self-contained and equipped to cover 1¼ in. piping with no provision for vent drainage. The airport areas approximate that of the pipe to the fixture.

The mechanical principle of the unit is a disk arrangement which, in normal position, closes the waterway port and admits air into the pipe. Upon flow of water being introduced into the unit the disk is raised, closing the airports and permitting a flow of water directly into the water closet. The unit operates with each and every flow of water from the flushometer into the bowl. Frequent flushings failed to show any evidence of water spit or moisture at the airports, with the flushometer valve adjusted to normal flow.

The connection arrangement was equipped with a glass tube between the vacuum breaker and the water closet bowl. The bowl was flooded to overflowing with urinine colored water simulating contamination. Vacuum test developing negative pressure of 26 in. of mercury failed to show any evidence of discolored water from the foot of the riser nor was the colored water drawn into the glass tube, thus indicating no partial vacuum at the bowl.

These tests indicate that this unit is efficient and satisfactory for installation under the requirements of Section 14.8.2.8 of the Building Code.

It is recommended that the Vigilant Vacuum Breaker be approved for use in New York City under Section (14.8.2.8 BC) C.26-1277.0 h, Adm. Code, on condition that the device bear a label reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 345-38-SA."

(Sgd.) LESLIE V. HUBER,

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Vigilant Vacuum Breaker (Plumbing Device), when installed and operated in accordance with the above report.

MINUTES

426-38-SA.

APPLICANT— R. E. Daly, for American Radiator Company, owner.

SUBJECT—Arcoflame Oil Burner, approval of.

APPEARANCES—

For Applicant: R. F. L'Hote and N. H. Richfield.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the Board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(426-38-SA)

WHEREAS, R. E. Daly, for the American Radiator Company, owner, filed May 31, 1938, an application with the Board of Standards and Appeals for the approval of the device known as the Ancoflame Oil Burner; and

WHEREAS, the device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board, supplemented by that of the Division of Combustibles of the Fire Department, was substantially as follows:

Re: Cal. No. 426-38-SA.

Arcoflame Oil Burner.

July 12, 1938

This burner was instaled in a domestic, steam heating boiler, and consists of the following assembly:—An Ohio ⅛ H.P. Motor; a Webster fuel unit, consisting of pump, strainer; regulating valve; a Torrington blower and a Harsch nozzle.

Ignition.—Electric Jefferson transformer.

Controls.—Standard Minneapolis Honeywell controls, consisting of Protectorelay R-117 and Pressuretrol L-404.

The burner comes in two models—one for conversion type installations and one for unit type boilers. The only difference, however, between the two models is in the mounting and the length of the blast tube.

With the oil supply shut off and a cold combustion chamber, the burner was put into operation and on two successive tests the controls functioned and shut the burner down in fifty-nine and sixty-one seconds respectively.

The burner was then put into normal operation and during the period of the test there were no flarebacks due to faulty ignition and the flame was free of smoke and soot.

As a result of this inspection and test, it is recommended that the ARCOFLAME OIL BURNER be approved for domestic, commercial and industrial installation, when installed and operated in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, and with fuel oil not heavier than No. 3 U. S. Dept. of Commerce Standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Arcoflame Oil Burner, for domestic, commercial and industrial installation, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, and when used with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards, *on condition* that there shall be permanently attached to each burner installed a label reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 426-38-SA.

497-38-SA.

APPLICANT—C. Fred O'Malley, for Timken Silent Automatic Division of The Timken-Detroit Axel Co., owner.

SUBJECT—Timken Wall Flame Oil Burner, Model F, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the Board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(497-38-SA)

WHEREAS, C. Fred O'Malley, for Timken Silent Automatic Division of the Timken-Detroit Axle Company, owner, filed June 16, 1938, an application with the Board of Standards and Appeals for the approval of the device known as the Timken Wall Flame Oil Burner, Model F; and

WHEREAS, the device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board supplemented by that of the representatives of the Division of Combustibles, Fire Department, was substantially as follows:

Cal. No. 497-38-SA.

Subject: Timken Wall Flame Oil Burner, Model F—Approval of.

July 12, 1938

This Model F burner is identical with the Model C which has already been approved by the Board of Standards and Appeals. It is of the vertical rotary type and consists of the following parts:

Ohio vertical motor, 1/40 H.P.; revolving fan and rotary type oil distributor.

Ignition.—Electric. Dongan transformer being used.

Controls—Detroit lubricator oil valve located at the burner; standard Minneapolis Honeywell controls used throughout, consisting of Protecto-Relay R-117 and Pressuretrol L-404.

With a cold combustion chamber and the oil supply shut off, the burner was operated and on two successive tests the controls functioned and shut the burner down in 90 and 92 seconds respectively.

The burner was then put into normal operation and during the period of test, there were no flare backs due to faulty ignition, and the flame was free and clear. Examination of the combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Timken Wall Flame Oil Burner, Model F, be approved for domestic and commercial use, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, with fuel oil not heavier than No. 2, U. S. Dept. of Commerce Standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Timken Wall Flame Oil Burner, Model F, for domestic and commercial installations, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals, for use with fuel oil not heavier than No. 2 U. S. Department of Commerce Standards, *on condition* that there shall be permanently attached to each burner installed a label reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 497-38-SA.

MATERIAL SUBMITTED FOR APPROVAL

431-38-SM.

APPLICANT—M. L. Khau, owner.

MINUTES

SUBJECT—Temple Brand "Foreign" Portland Cement and Seven Castles Brand Foreign Portland Cement, approval of.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Material approved in accordance with the report of the committee on tests.

THE VOTE TO APPROVE MATERIAL—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(431-38-SM)

WHEREAS, M. L. Khau, owner, filed June 1, 1938, an application with the Board of Standards and Appeals for the approval of his material known as the Temple Brand "Foreign" Portland Cement and Seven Castles Brand Foreign Portland Cement; and

WHEREAS, this material was referred to a committee of the board for test and report; and

WHEREAS, the report of the committee of the board follows:

Re: Cal. 431-38-SM.
Temple Brand "Foreign" Portland Cement and Seven Castles Brand Foreign Portland Cement.

July 11, 1938

On June 1, 1938, M. L. Khau of New York City, filed with the board, a request for the approval of a Foreign Cement shipment consisting of 14,118 bags of Temple Brand and 9,412 bags of Seven Castles Brand. Samples of these materials were selected by a representative of the Board of Standards and Appeals and tests were conducted by the laboratory of the R. W. Hunt Co. of New York City. The results of these tests indicate that the physical and chemical analysis of these cements were well within the requirements of the A.S.T.M. including the tests for fineness. The tensile strengths were as follows:

Av. of five specimens..	7 days	28 days
Temple Brand	327 PSI	412 PSI
Seven Castles Brand ...	305 PSI	410 PSI
A.S.T.M. requirements.	275 PSI	350 PSI

Copies of the R. W. Hunt tests on these cements are filed with the application. On the basis of this data, it is recommended that the foreign shipment of 14,118 bags of Temple Brand Portland Cement and 9,412 bags of Seven Castles Brand Portland Cement which arrived on the S.S. Lucia be approved for use in New York City under C-26-312.0 c. A.C. (7.1.1.7.3) for use wherever the use of Portland Cement is required or permitted, and that each bag be stamped, labeled or tagged "Approved for use in New York City by the Board of Standards and Appeals, Cal. 431-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the foreign shipment of 14,118 bags of Temple Brand Portland Cement and 9,412 bags of Seven Castles Brand Portland Cement which arrived on the S.S. Lucia, for use in New York City under C-26-312.0 c. A.C. (7.1.1.7.3) for use wherever the use of Portland Cement is required, or permitted, and that each bag be stamped, labeled or tagged "Approved for use in New York City by the Board of Standards and Appeals, Cal. 431-38-SM."

RULES

40-32-SR.

APPLICANT—A'bion N. Van Vleck, First Deputy Commissioner, Department of Housing and Buildings.

SUBJECT—Application for consideration—reopening and amendment of resolution adopted July 22, 1932 as to Uniform Certificate of Occupancy.

APPEARANCES—
For Applicant: Fred Dahlem, William A. Faiella, and Veronica Tubridy.

ACTION OF BOARD—Application reopened and the revised Certificate of Occupancy form, approved. (See pages 946 and 947 of this Bulletin.)

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO APPROVE FORM SUBMITTED—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(40-32-SR)

Resolved, that the Rule for a Uniform Certificate of Occupancy adopted by the Board of Standards and Appeals on July 22, 1932, be and it hereby is amended and that the revised form as submitted for all buildings, in place of the previous forms, be and it hereby is *approved* for existing and new buildings and that the size of the form shall be of the size known as "legal cap."

Adjourned, 5:10 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Wednesday, July 6, 1938, as they appeared in Bulletin No. 28, Vol. XXIII, are hereby corrected to read as follows:

THE RESOLUTION—

(717-29-BZ)

WHEREAS, this application affecting premises 84-94 129th street and 127-15 Metropolitan avenue, northwest corner (Block No. 156, Lot No. 52), Richmond Hill, Borough of Queens, to permit in a business use district the erection and maintenance of a garage for the storage of more than five motor vehicles, was granted by the board March 18, 1930, on certain condition and time to obtain permit and complete work extended from time to time, the last extension being March 9, 1937; and

WHEREAS, it appears that there is no longer an intention to occupy the premises as a garage but as a conforming use in a business use district, a roller skating rink, as specifically indicated in Calendar No. 529-38-A.

Resolved, that the resolution adopted by the board on March 18, 1930, as amended March 9, 1937, be and it hereby is *rescinded*.

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*Correction—The words "but to occupy the premises as" omitted in line 12 of resolution.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Wednesday, July 6, 1938, as they appeared in Bulletin No. 28, Vol. XXIII, are hereby corrected to read as follows:

THE RESOLUTION—

(556-38-A)

WHEREAS, Joel D. Marder for B. Altman Company, owner, filed June 29, 1938, an appeal from a decision of the Borough Superintendent, affecting premises 355-371 Fifth avenue, 188-198 Madison avenue, 1-15 East 34th street and 2-16 East 35th street (Block No. 864, Lot No. 1), Borough of Manhattan;

WHEREAS, the decision of the Borough Superintendent, dated June 28, 1938, re. Alt. Applic. No. 1672-1938, reads:

"1. Not more than two adjoining stories in any structure may be connected by an open well or escalator. Sec. 6.4.1.9 B.C.

Escalators should be enclosed with partitions or walls having a fire resistive rating of a least three hours. Sec. 6.4.1.8.1 B.C."

and

WHEREAS, the building is 12 stories in height, 197 ft. 6 in. by 421 ft. in area, of fireproof construction, equipped with a standpipe and sprinkler system, located in a retail use and "B" area district, erected in 1905 and 1913 and occupied: cellar—engine room; basement—delivery room; the balance of the building as a department store; and

WHEREAS, the applicant contends that the building is equipped with an interior fire alarm system and watchman service; that it is proposed to floor over the present open rotunda from the second to the fifth floors and install two lines of escalators from the first to the fourth floors, enclosed by means of fire resistive balustrading finished with plaster on two sides; that the wells at top of balustrading will be provided with a rolling steel shutter in a horizontal position, manually operated by means of a suitable chain; that the opening at the ceiling will be protected with a baffle of 2 in. plaster on metal lath, extending downward at least 2 ft. and located within 2 ft. of each of such openings; that the openings shall be additionally protected by sprinkler water curtains around the perimeters of such baffles with sprinkler heads spaced 4 ft. apart; and that an automatic electrical device, that will stop the operation of the escalator upon closing of the shutter, is to be provided; that in a building of this type and use, the protection afforded by the proposed alteration, is superior to the present construction and a favorable consideration is respectfully requested.

Resolved, that the decision of the Borough Superintendent in acting on Alt. Applic. No. 1672-1938, Objection 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the installation shall be of fireproof construction throughout; that there shall be constructed baffle plates around each floor opening, extending downward at least two feet and located within two feet of the perimeter of such opening; that these baffle plates may be of steel or 2-in. wire lath and plaster; that supplementary sprinklers shall be installed in addition to the sprinkler system in the building, to form a sprinkler curtain on the exterior of the baffle plates around each opening; that the heads of sprinkler system shall not be over two feet from the baffle plate and shall be not more than six feet on centers; that where any sprinkler head of the building sprinkler system is at a point closer than four feet to a head in the sprinkler curtain, a metal reflector shall be installed at such head to prevent water cooling; that a roller shutter shall be installed over each opening constructed in a horizontal position and arranged so as to be manually operated for closing or opening by means of a chain, permanently attached, or by means of a permanently attached crank-handle so constructed as to operate the curtain both for closing and opening; that such handle mechanism, however, shall not be installed until submitted to and approved by this board; that if the chain is used, it shall be a chain weighing not less than one-quarter pound per running foot; that on all shutters, directly above the bottom rail the words "Close Shutter to Floor," with an arrow pointing downwardly, shall appear; that a gong shall be installed at each escalator run, operated by means of pushbutons located centrally; two to a floor, the pushing of any such button *shall* ring gongs on all floors, *as a signal to attendants to close all* escalator curtains; that instructions to all superintendents and section managers shall include, in addition to general instructions, as to use of fire extinguishing equipment and exits in case of fire, instruction and monthly drill as to closing escalator curtains, so that responsibility will at all times be fixed on certain attendants on each floor to insure that the curtains will be immediately closed upon sounding of the gong signal; that the closing of the curtain shall automatically stop all escalators; that these curtains shall be closed at all times when the store is not open for business and also shall be tested during the conduct of the fire drill; that this modification is *granted* only so long as the building is occupied by B. Altman and Company as a department store and the sprinkler and standpipe systems are maintained to the satisfaction of the Fire Commissioner and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

*Correction—The word *"to"* omitted and the word *"shall"* substituted in line 75 of resolution; the word "closing" omitted in line 76 of resolution and the words *"as a signal to attendants to close all"* inserted.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

DEPARTMENT OF HOUSING AND BUILDINGS

BOROUGH OF , CITY OF NEW YORK

No.....

Date.....

CERTIFICATE OF OCCUPANCY

(Standard form adopted by the Board of Standards and Appeals and issued pursuant to Section 646 of the New York City Charter, and Sections C.26-181.0 to C.26-187.0 inclusive, Administrative Code (2.1.3.1 to 2.1.3.7 B.C.)

This certificate supersedes C.O. #

To the owner or owners of the building or premises:—

THIS CERTIFIES that the new—altered—existing—building—premises located at

Block , Lot conforms substantially to the approved plans and specifications, and to the requirements of the building code and all other laws and ordinances, and of the rules and regulations of the Board of Standards and Appeals, applicable to a building of its class and kind at the time the permit was issued; and CERTIFIES FURTHER that, any provisions of section 646F of the New York City Charter have been complied with as certified by a report of the Fire Commissioner to the Borough Superintendent.

N.B. or Alt. No. . Construction classification .

Occupancy classification . Height stories, feet.

Date of completion . Located in Use District

Area . Height . Zone at time of issuance of permit

THIS CERTIFICATE IS ISSUED SUBJECT TO THE LIMITATIONS HEREINAFTER SPECIFIED AND TO THE FOLLOWNG RESOLUTIONS OF THE BOARD OF STANDARDS AND APPEALS:

(*Calendar numbers to be inserted here*)

PERMISSIBLE USE AND OCCUPANCY

STORY	LIVE LOADS LBS. PER SQ. FT.	PERSONS ACCOMMODATED			USE
		MALE	FEMALE	TOTAL	

.....

Borough Superintendent

NO CHANGES OF USE OR OCCUPANCY NOT CONSISTENT WITH THIS CERTIFICATE SHALL BE MADE UNLESS FIRST APPROVED BY THE BOROUGH SUPERINTENDENT.

Unless an approval for the same has been obtained from the Borough Superintendent, no change or rearrangement in the structural parts of the building, or affecting the light and ventilation of any part thereof, or in the exit facilities, shall be made; no enlargement, whether by extending on any side or by increasing in height shall be made; nor shall the building be moved from one location or position to another; nor shall there be any reduction or diminution of the area of the lot or plot on which the building is located.

The building or any part thereof shall not be used for any purpose other than that for which it is certified.

The superimposed, uniformly distributed loads, or concentrated loads producing the same stresses in the construction in any story shall not exceed the live loads specified above; the number of persons of either sex in any story shall not exceed that specified when sex is indicated, nor shall the aggregate number of persons in any story exceed the specified total; and the use to which any story may be put shall be restricted to that fixed by this certificate except as specifically stated.

This certificate does not in any way relieve the owner or owners or any other person or persons in possession or control of the building or any part thereof, from obtaining such other permits, licenses or approvals as may be prescribed by law for the uses or purposes for which the building is designed or intended; nor from obtaining the special certificates required for the use and operation of elevators; nor from the installation of fire alarm systems where required by law; nor from complying with any lawful order for additional fire extinguishing appliances under the discretionary powers of the Fire Commissioner; nor from complying with any lawful order issued with the object of maintaining the building in a safe or lawful condition; nor from complying with any authorized direction to remove encroachments into a public highway or other public place, whether attached to or part of the building or not.

If this certificate is marked "Temporary", it is applicable only to those parts of the building indicated on its face, and certifies to the legal use and occupancy of only such parts of the building; it is subject to all the provisions and conditions applying to a final or permanent certificate; it is not applicable to any building under the jurisdiction of the Housing Division unless it is also approved and endorsed by them, and it must be replaced by a full certificate at the date of expiration.

If this certificate is for an existing building, erected prior to March 14, 1916, it has been duly inspected and it has been found to have been occupied or arranged to be occupied prior to March 14, 1916, as noted on the reverse side, and that on information and belief, since that date there has been no alteration or conversion to a use that changed its classification as defined in the Building Code, or that would necessitate compliance with some special requirement or with the State Labor Law or any other law or ordinance; that there are no notices of violations or orders pending in the Department of Housing and Buildings at this time; that Section 646F of the New York City Charter has been complied with as certified by a report of the Fire Commissioner to the Borough Superintendent, and that, so long as the building is not altered, except by permission of the Borough Superintendent, the existing use and occupancy may be continued.

"§ 646 F. No certificate of occupancy shall be issued for any building, structure, enclosure, place or premises wherein containers for combustibles, chemicals, explosives, inflammables and other dangerous substances, articles, compounds or mixtures are stored, or wherein automatic or other fire alarm systems or fire extinguishing equipment are required by law to be or are installed, until the Fire Commissioner has tested and inspected and has certified his approval in writing of the installation of such containers, systems or equipment to the Superintendent of the borough in which the installation has been made. Such approval shall be recorded on the certificate of occupancy."

Additional copies of this certificate will be furnished to persons having an interest in the building or premises, upon payment of a fee of fifty cents per copy.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths (7/8) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half (2½) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth (¼) of one (1) per cent of steel mesh;

(b) Two and one-half (2½) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half (½) inch plaster boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter (¼) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths (7/8) inch wood sheathing, one-half (½) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths (7/8) inch wood sheathing, two thicknesses of one-quarter (¼) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Certiorari Order Served on Board.

Court Decisions.

Rules Directory.

Notice of Adjournment.

The Hearing Calendar.

Minutes of Regular Meeting, July 19, 1938, at 10 A. M., Affecting Calendar Numbers 251-37-BZ, 469-38-BZ, 460-37-BZ, 527-37-BZ, 628-37-BZ, 398-38-BZ and 409-38-BZ.

Minutes of Regular Meeting, July 19, 1938, at 2 P. M., Affecting Calendar Numbers 517-30-BZ, 408-38-BZ, 266-36-BZ, 344-38-BZ, 233-33-BZ, 535-38-A, 588-38-A, 603-38-A, 606-38-A, 607-38-A, 608-38-A, 609-38-A, 610-38-A, 611-38-A, 612-38-A, 613-38-A, 614-38-A, 615-38-A, 616-38-A, 617-38-A, 618-38-A, 521-38-A, 554-38-A, 621-38-A, 387-38-A, 444-38-A, 527-38-A-WF, 571-38-A, 573-38-A, 575-38-A, 576-38-A, 580-38-A, 581-38-A, 584-38-A, 586-38-A, 587-38-A, 590-38-A-WF, 596-38-A, 597-38-A, 601-38-A, 602-38-A, 619-38-A, 496-38-S, 562-38-S, 435-38-S, 595-38-S, 74-38-S and 591-29-SA.

Minutes of Special Meeting, July 20, 1938, at 10 A. M., Affecting Calendar Numbers 1087-24-BZ, 682-26-BZ, 426-37-BZ, 597-37-BZ, 366-38-BZ, 367-38-BZ, 368-38-BZ, 369-38-BZ, 370-38-BZ, 373-38-BZ and 512-38-BZ.

Minutes of Special Meeting, July 20, 1938, at 2 P. M., Affecting Calendar Numbers 8-34-BZ, 103-35-BZ, 296-33-BZ, 43-34-BZ, 328-34-BZ, 111-37-BZ, 467-37-BZ, 598-37-BZ, 463-38-BZ, 630-38-BZ, 356-38-A, 594-38-A, 631-38-A, 639-38-A, 646-38-A, 279-38-A, 343-38-A, 579-38-A, 588-38-A, 623-38-A, 625-38-A, 626-38-A, 627-38-A, 632-38-A, 633-38-A, 634-38-A, 635-38-A, 636-38-A, 638-38-A, 641-38-A, 647-38-A, 648-38-A, 343-37-A, 470-37-S, 496-38-S, 637-38-S, 3-36-S, 165-38-SA, 166-38-SA, 169-38-SM, 235-38-SM, 365-38-SM, 415-38-SM, 432-38-SM, 437-38-SM, 486-38-SM, 508-38-SM, 546-38-SM and 578-38-SM.

Minutes of Special Meeting, July 22, 1938, at 10 A. M., Affecting Calendar Numbers 8-33-BZ, 495-37-BZ, 603-38-A, 631-38-A, 653-38-A, 654-38-A, 655-38-A, 656-38-A, 658-38-A, 659-38-A, 292-38-SA, 372-38-SA, 443-38-SA, 559-38-SA, 564-38-SA, 565-38-SA, 341-38-SM, 465-38-SM and 544-38-SM.

Corrections Affecting Calendar Numbers 216-34-A, 28-38-SM and 191-38-SM.

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to July 19, 1938

Cal. No.	*Department*	*Premises Affected*
620-38-SM		Belgium Brick, manufactured by Union Briquetiere, Societe Cooperative (United Brick Works Cy.), Antwerp, Belgium, Material.
621-38-A	F.D.	East side of Second avenue, between 28th and 29th streets (Block 663, Lots 1 and 9), Borough of Brooklyn, 75982-L.C.
622-38-BZ	H.B.Q.	117-05 Liberty avenue and 103-49 117th street, northeast corner (Block 9555, Lots 36, 39 and 41), Richmond Hill, Borough of Queens, Alt. 1603-34 and Alt. 3837-38.
623-38-A	F.D.	Certificate of Approval for sale, use, transportation and storage of anti-freeze, known as "Shell" and "Everflo" in non-refillable cans, in New York City. Decision.
624-38-BZ	H.B.Bx.	3335 Hull avenue, west side, 307 ft. south of Gun Hill road (Block 3348, Lots 60, 64, 66 and 70), Borough of The Bronx, Decision.
625-38-A	H.B.Q.	84-02 72nd drive, south side, of private right of way, 647 ft. 3 in. south and 431.42 ft. west of Cooper avenue and 88th street (Block 3837, Lot 1 and Block 3810, Lot 190), Glendale, Borough of Queens, N.B. 3489-38.
626-38-A	H.B.B.	Southeast corner of Avenue D and East 103rd street (Block 8136, Lots 28, 30, 31, 33, 35 and 36), Borough of Brooklyn, Applic. 8795-38.
627-38-A	H.B.Q.	36-30 Steinway avenue, west side, 57 ft. 4 in. north of Jackson avenue (Block 5, Lot 38), Astoria, Borough of Queens, Decision re Corr. 3120-38.
628-38-SM		Wire Rope for Elevator Governor, manufactured by Wickwire Spencer Steel Company, Material.
629-38-BZ	H.B.M.	178-180 East 78th street, south side, 100 ft. west of Third avenue and 173-175 East 77th street (Block 1412, Lot 33), Borough of Manhattan, Zone Viol. Order 18-38.
630-38-BZ	H.B.M.	118-134 Park avenue, west side, from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block 1276, Lot 33), Borough of Manhattan, N.B. 121-38.
631-38-A	H.B.B.	6021-6031 Strickland avenue, north side, 1,352 ft. 3½ in. west of Mill avenue (Block 8470, Lot 1059), Borough of Brooklyn, Applic. 9717-38.
632-38-A	H.B.B.	539-543 Ocean avenue, east side, 150 ft. south of Church avenue (Block 5101, Lot 90), Borough of Brooklyn, N.B. 6408-38.
633-38-A	F.D.	1 Park place, northwest corner of Broadway (Block 124, Lot 29), Borough of Manhattan, 13083-L.C.
634-38-A	H.B.Bx.	3042 - 3046 Fenton avenue, northeast corner of Knapp street (Block 4782, Lots 71 and 109), Borough of The Bronx, Alt. 255-38.
635-38-A	H.B.B.	1868-1890 Linden boulevard, south side, ,from Alabama avenue to Georgia avenue (Block 4344, Lots 1, 9, 10 and 11), Borough of Brooklyn, Applic. 9967-38.
636-38-A	F.D.	252-262 Newport street and 514 - 530 Watkins street, southwest corner (Block 3617, Lots 18, 19, 20 and 21), Borough of Brooklyn, 359-L.F. and Decision.
637-38-S	H.B.M.	512 Seventh avenue and 200-212 West 38th street, southwest corner (Block 787, Lot 44), Borough of Manhattan, Alt. 2097-37.
638-38-A	H.B.Q.	185-22 Merrick road, south side, 135 ft. east of Main street (Block 3584, Lot 23), Springfield, Borough of Queens, N.B. 5596-38.
639-38-A	H.B.B.	4420 - 4424 Church avenue, southwest corner of East 45th street (Block 4898, Lots 10-12), Borough of Brooklyn, Decision re Permit 5485-38.
640-38-SA		Penn Overload Switch for Oil Burners, Type 730, Appliance.
641-38-A	F.D.	411-421 Euclid avenue, east side, 100 ft. north of Glenmore avenue (Block 4195 Lot 6), Borough of Brooklyn, 75785-L.C

CALENDAR

642-38-SM.....Celotex, manufactured by The Celotex Corporation, Material.

643-38-SM.....Celotex Lath, manufactured by The Celotex Corporation, Material.

644-38-SM.....Celotex Vaporseal Sheathing, manufactured by The Celotex Corporation, Material.

645-38-SM.....Celotex Roof Insulation, manufactured by The Celotex Corporation, Material.

646-38-A.....H.B.M.....226-228 East 76th street, south side, 205 ft. west of Second avenue (Block 1430, Lots 33 and 34), Borough of Manhattan, Alt. 1854-38.

Restored to Calendar

591-29-SA.....Kresky Oil Burner, Model MD, Appliance.

517-30-BZ.....H.B.Bx.....1385 Franklin avenue, west side, 133 ft. south of East 170th street (Block 2931, Lot 64), Borough of The Bronx, Decision.

8-33-BZ.....H.B.Q.....184-39 to 184-53 Jamaica avenue, northwest corner of 185th street (Block 971, Lot 38), Hollis, Borough of Queens, Plan No. 3084-32.

8-34-BZ.....H.B.Q.....Northeast corner of Jamaica avenue and 187th place (Block 975, part of Lot 1), Jamaica, Borough of Queens, Decision.

103-35-BZ.....H.B.B.....5001-5011 Flatlands avenue and 1869-1875 Utica avenue, northeast corner (Block 7798, Lot 33), Borough of Brooklyn, Applic. 3221-35.

DESIGNATIONS: **H.B.**—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department and **F.D.**—Fire Department.

CERTIORARI ORDER SERVED ON BOARD OF STANDARDS AND APPEALS

On July 26, 1938, Hyman Fried, attorney, served on the board petition and order of certiorari on behalf of Keystate Outdoor Advertising Co., Inc., lessee, in re decision of board of July 6, 1938, affirming decision of Borough Superintendent of Buildings regarding revival of permit for maintenance of advertising signs, Cal. No. 311-38-BZ, premises northwest corner of Ocean avenue and Avenue P, Borough of Brooklyn.

COURT DECISIONS

Matter of Home Life Ins. Co. (Murdock et al.)—On April 20, 1937, board denied application for business building (stores) in residence district, under section 21, Cal. No. 260-36-BZ, premises 1620-24 Avenue H, S. W. cor. E. 17th street, Brooklyn. Mr. Justice Byrne sustained board, holding in part: "The determination rendered * * * was reasonable and just and that upon the facts disclosed it exercised a fair and reasonable decision. * * * Further, the determination made by the board in 1923 did not presuppose that at any time thereafter upon a renewed application the board would be bound to accord similar relief. As pointed out hereinbefore, the variance which was allowed in 1923 was conditioned upon the requirement that the then owner of the premises complete the contemplated construction within eighteen months. Upon the expiration of that period without a compliance with the condition, the right to the variance was wholly lost and a renewed application would thereafter of necessity be determined upon the facts and circumstances existing at the very time of such renewal." (N.Y.L.J. Oct. 4, 1937.) On December 28, 1937, board refused to reopen case, on ground that proposal to limit stores to Avenue H frontage was insufficient to justify rehearing. Mr. Justice Nova sustained board (N.Y.L.J. July 9, 1938) holding: Petitioner "has merely offered revised plans for the buildings, but it does not purport to show that there has been any change so far as the practical difficulties or unnecessary hardships are concerned. There was no reason, therefore, for the board to review its previous determination."

* * *

Matter of Nakoma Realty Co., Inc. (Murdock et al.)—On May 24, 1938, board permitted street floor stories of buildings to be used for garage, but, because of requirement that occupancy above ground floor conform to business use district, repair shop and gasoline storage was denied, under section 21, Cal. No. 534-37-BZ, at 144-146 and 148-150 Frost street, Borough of Brooklyn. Mr. Justice Steinbrink sustained board (N.Y.L.J. July 21, 1938), stating: "The determination of the Board of Standards and Appeals rested upon a reasonable basis."

* * *

Maccalco, Inc. v. Murdock—On March 8, 1938, board denied application, under sections 7-h and 21, for parking and storage of more than five motor vehicles in business district and sale of gasoline, Cal. No. 184-29-BZ (board having granted variance for erection of garage July 16, 1929, which was never built), premises 42-46 W. 66th street, Borough of Manhattan. Mr. Justice Leary sustained board, stating: "I find no reason to substitute my views for those expressed by the members even though they were evenly divided. . . . their finding was in the exercise of their discretion. That discretion was not abused." (N.Y.L.J. July 23, 1938.)

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules	May 31, 1938—Vol. 23, No. 22
Certificate of Occupancy, approved form	July 19, 1938—Vol. 23, No. 29
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	May 24, 1938—Vol. 23, No. 21
Fire Alarm Rules (Interior)	July 12, 1938—Vol. 23, No. 28
Fire Drill Rules	June 21, 1938—Vol. 23, No. 25
Fire Retarding Rules for Garages, etc.	July 19, 1938—Vol. 23, No. 29
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	May 3, 1938—Vol. 23, No. 18
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Oil Burner Rules	June 7, 1938—Vol. 23, No. 23
Paint, Varnish and Lacquer Spraying Rules	April 26, 1938—Vol. 23, No. 17
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract C.O.	June 14, 1938—Vol. 23, No. 24
Smoking in Factories, Rules for	June 28, 1938—Vol. 23, No. 26
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves	June 28, 1938—Vol. 23, No. 26
Fuel Oil Burners for Domestic and Commercial Use	Apr. 19, 1938—Vol. 23, No. 16

CALENDAR

Fuel Oil Fill Pipe Terminals	June	28, 1938—Vol. 23, No. 26
Fuel Oil Burners for Industrial Use	June	28, 1938—Vol. 23, No. 26
Fuel Oil Pumps	July	5, 1938—Vol. 23, No. 27
Paint, Varnish and Lacquer Spraying Equipment	April	26, 1938—Vol. 23, No. 17
Range Oil Burners and Space Heaters	July	5, 1938—Vol. 23, No. 27

ADJOURNMENT

Notice is hereby given that the next regular meeting of the Board of Standards and Appeals will be held on Tuesday, September 13, 1938, *at* 10 *a.m.*

SEPTEMBER 13, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September* 13, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 488-38-BZ—Application, June 14, 1938, under section 7a of the building zone resolution, of George A. Aliano, applicant, on behalf of Hatfield and Bell, Inc., owners, to permit in a residence use district, the alteration and extension of an existing soda manufacturing and bottling works; premises 317-323 97th street, north side, 132 ft. 3¼ in. east of Third avenue (Block No. 6122, Lot No. 62), Borough of Brooklyn.

CAL. NO. 400-38-BZ—Application, May 13, 1938, under section 21 of the building zone resolution of John Burke, applicant, on behalf of Mary A. Kenney, owner, to permit in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 339-349 Columbia street, east side, 150 ft. north of Coles street (Block No. 510, Lot No. 6), Borough of Brooklyn.

CAL. NO. 305-38-BZ—Application, April 23, 1938, under section 7e of the building zone resolution of Thomas M. Bell, applicant, on behalf of Dry Dock Savings Institution and George E. Coleman, owners, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 123-127 West 56th street, north side, 325 ft. west of Sixth avenue (Block No. 1009, Lot Nos. 17, 18 and 19), Borough of Manhattan.

CAL. NO. 403-37-BZ—Application, August 12, 1937, under section 7h of the building zone resolution of Max Silver, applicant and lessee, on behalf of Reproduction Furniture Manufacturing Co., Inc., owner, to permit in a business use district the parking and storage of more than five (5) motor vehicles, for a temporary period of two (2) years; premises 507-511 Sheffield avenue, east side, 40 ft. south of Livonia avenue (Block No. 3822, part of Lot No. 18), Borough of Brooklyn.

CAL. NO. 10-38-BZ—Application, January 6, 1938, under sections 7h and 21 of the building zone resolution of Kissena Amusement Corporation, applicant and lessee, on behalf of Stellbea Theatres Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 136-20 37th avenue, south side, 100 ft. east of Main street (Block No. 4978, Lot No. 9), Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 13, 1938, 2 P. M.

Appeal from Administrative Order

306-38-A—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

Variation of Labor Law

562-38-S—62-68 18th street, south side, 325 ft. west of Third avenue (Block No. 632, Lot No. 4), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September* 13, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 8-34-BZ—Application of Walter R. Hart, applicant, on behalf of Fiske and Queens Realty Corporation, owner, reopened July 20, 1938, under section 21 of the building zone resolution, for consideration as to extension of permit—re Application, previously granted on condition, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period; premises northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 103-35-BZ—Application of Edgar Palmieri, applicant, on behalf of Louis Piccola and Angelo Dell' Abate, owners, reopened July 20, 1938, under section 21 of the building zone resolution, for consideration as to extension of permit—re Application, previously granted on condition, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period; premises 5001-5011 Flatlands avenue and 1869-1875 Utica avenue, northeast corner (Block No. 7798, Lot No. 33), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

SEPTEMBER 20, 1938, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September* 20, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CALENDAR

CAL. NO. 469-38-BZ—Application, June 2, 1938, under section 21 of the building zone resolution, of Alfred H. Eccles, applicant, on behalf of Otto Grumbach, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 93-11 to 93-25 Rockaway boulevard and 103-28 to 103-36 94th street, northwest corner (Block No. 9114, Lot No. 19), Woodhaven, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 20, 1938, 2 P. M.

Appeal from Administrative Order

639-38-A—4420-4424 Church avenue, southwest corner of East 45th street (Block No. 4898, Lot Nos. 10-12), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September* 20, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 8-33-BZ—Application of Joseph B. Lynch, applicant, on behalf of Colonial Beacon Oil Company, Inc., lessee, reopened July 22, 1938, for consideration as to amendment of resolution—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station; premises 184-39 to 184-53 Jamaica avenue, northwest corner of 185th street (Block No. 971, Lot No. 38), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 27, 1938, 10 A. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September* 27, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 251-35-BZ—Application of Paul Friedman, applicant, on behalf of State Engineering Corporation and Cora Lay Waldron, owners, reopened May 17, 1938, under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a business building (stores); (previously denied under sections 7c and 21 of the building zone resolution); premises 2115-2119 Caton avenue, north side, 91 ft. west of Flatbush avenue (Block No. 5063, Lot No. 69), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, JULY 19, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Wednesday morning, July 6, 1938; the minutes of the regular meeting of the Board held on Wednesday afternoon, July 6, 1938 and the minutes of the special meeting of the Board held on Friday morning, July 8, 1938, were approved as printed in Bulletin No. 28, Volume 23.

BUILDING ZONE CASES

251-37-BZ.

APPLICANT—Paul Friedman for State Engineering Corporation and Cora Lay Waldron, owners.

SUBJECT—Application reopened May 17, 1938 (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a business building (stores); (previously denied under sections 7c and 21 of the building zone resolution).

PREMISES AFFECTED—2115-2119 Caton avenue, north side, 91 ft. west of Flatbush avenue (Block No. 5063, Lot No. 69), Borough of Brooklyn.

APPEARANCES—

For applicant: None.

For Opposition: Leon Singer.

ACTION OF BOARD—Laid over to September 27, 1938 at 10 A. M. upon written request of applicant. Applicant to notify by regular mail, the property owners within the affected area.

469-38-BZ.

APPLICANT—Alfred H. Eccles for Otto Grumbach, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—93-11 to 93-25 Rockaway boulevard and 103-28 to 103-36 94th street, northwest corner (Block No. 9114, Lot No. 19), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Alfred H. Eccles and Otto Grumbach.

For Opposition: George H. Cohn and Anna Donnellon.

ACTION OF BOARD—Laid over to September 20, 1938 at 10 A. M. on request of applicant.

460-37-BZ.

APPLICANT—Mac Murray Holding Corporation for Lexington Avenue and 59th Street Corporation, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution to permit in a business use district for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—731-733 Lexington avenue and 141-155 East 58th street, north side, 95 ft. east of Lexington avenue (Block No. 1313, Lot No. 53), Borough of Manhattan.

APPEARANCES—

For Applicant: George D. Carrington and B. L. Boehme.

For Opposition: Sol A. Herzog.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(460-37-BZ)

WHEREAS, MacMurray Holding Corporation, for Lexington Avenue and 59th Street Corporation, owner, filed September 27, 1937, an application under the building zone resolution to permit in a business use district for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; Premises: 141-155 East 58th street, north side, 95 ft. east of Lexington avenue and 731-733 Lexington avenue (Block No. 1313, Lot No. 53) Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 19, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 58th street is in a business and retail use district; East 59th street is in a business and retail use district and Lexington avenue is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated May 19, 1938, reads:

"Your application for a certificate of occupancy for the use of the above premises for the parking and storage of cars has been denied as the premises are located in a business district and this occupancy is prohibited by Article 2, section 4a, sub-division 15 of the Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 225 ft. on East 58th street, 37 ft. 3 in. on Lexington avenue and a depth of 120 ft. 5 in. from East 58th street, which it is proposed to use as a parking and storage space for more than five motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a Committee of the Board prior to hearing; and

WHEREAS, the Board deemed that this was a proper case to exercise its discretion under Section 7, subdivision H, of the Building Zone Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted* under Section 7, subdivision H, for a period of two years from the date of this action, to permit the premises under appeal to be occupied for transient parking of more than five motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so parked; that the plot shall be levelled substantially to the inner edge of the sidewalk of East 58th street, and surfaced with steam cinders or clean gravel or other suitable clean material, properly rolled or treated with binder to prevent dusting; that there shall be erected on the interior lot line, where walls of adjacent buildings do not occur, a substantial woven-wire fence not less than 6 ft. in height, and a similar fence to be erected across the frontage of the plot facing on Lexington avenue, with no entrance or exit whatever therein; that a similar fence shall be erected along street line of East 58th street for the entire length, except for an opening as an entrance or exit, 25 ft. in width; that curb cut opposite this entrance shall not be over 25 ft. in width; that the parking of cars shall be arranged at all times with proper aisle space, so as to provide a ready entrance and exit; that such portable fire-fighting appliances shall be installed as the Fire Commissioner shall direct; that during the term of this variance, these premises shall be used for no use other than as herein permitted and that no buildings shall be erected, except that there may be erected a frame building as an office and shelter for attendant, provided it is not over 150 sq. ft. in area and one story in height; that no signs shall be erected other than a sign at the entrance, attached to the fence, advertising the parking use; that this sign shall not exceed 15 sq. ft. in area; that there shall be no servicing of cars carried on; that lights for general illumination if installed, shall be on post standards with metal reflectors, so arranged as to reflect away from adjoining occupancies and towards the centre of parking space; that no Certificate of Occupancy shall be issued until the requirements of this resolution are complied with; and that all permits shall be obtained and all work shall be completed within two months from the date of this action.

527-37-BZ.

APPLICANT—Abraham L. Hyman for 670 Third Avenue Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—144-150 East 43rd street, south side, 100 ft. west of Third avenue (Block No. 1297, Lot Nos. 41, 43 and 45), Borough of Manhattan.

APPEARANCES—

For Applicant: Abraham L. Hyman, Reuben Tally and James Samuel.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(527-37-BZ)

WHEREAS, Abraham L. Hyman, for 670 Third Avenue Corporation, owner, filed November 9, 1937, an application under the building zone resolution to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; Premises: 144-150 East 43d street, south side, 100 ft. west of Third avenue (Block No. 1297, Lot Nos. 41, 43 and 45) Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 19, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 43d street is in a business and unrestricted use district; East 42d street is in a business use district; Third avenue is in a business use district and Lexington avenue is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated June 24, 1938, reads:

"In answer to your letter of June 24, 1938, relative to application for certificate of occupancy for the use of the above premises for the storage and parking of

more than 5 motor vehicles, you are advised that said application has been denied for the reason that this occupancy is prohibited by Article 2, Section 4a, subdivision 15 of the Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. and a depth of 100 ft., 5 in. It is proposed to occupy the plot for a temporary period of not more than 2 years, for parking and storage of more than 5 motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a Committee of the Board, prior to hearing; and

WHEREAS, the Board deemed that this was a proper case to exercise its discretion under Section 7, subdivision H, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted,* under section 7, subdivision H for a period of two years from the date of this action, permitting the vacant portion of the plot under appeal to be occupied for parking and storage of more than five motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so stored and parked; that the plot shall be levelled substantially to the grade of the inner edge of the sidewalk on East 43rd street and shall be surfaced with steam cinders or clean gravel or other suitable clean material, properly rolled and treated with a binder to prevent dusting; that on the interior lot lines, where the walls of adjoining buildings do not occur, there shall be erected a substantial woven-wire fence not less than 6 ft. in height, except that the wood fence on the southerly lot line now existing may remain if substantially constructed; that a similar woven-wire fence shall be constructed on the street line, except at a point opposite the entrance, consisting of a 32-ft. existing curb cut, towards the east; that at all times proper aisles shall be maintained for the easy exit and entrance of automobiles; that no additional buildings shall be erected on the premises during the term of this variance; that the two-story frame office, shown on the plans filed with this appeal, shall be removed; that during the term of this variance, that portion of the plot herein permitted for parking and storage shall be used for no other use; that no car washing or automobile repairing shall be carried on; that no signs advertising parking use, other than the existing sign reading "Parking" shall be permitted; that such portable fire-fighting appliances shall be maintained on the premises as the Fire Commissioner shall direct; that no Certificate of Occupancy shall be issued until the conditions of this resolution are complied with; and that all permits shall be obtained and all work shall be completed within two (2) months from the date of this action.

628-37-BZ.

APPLICANT—Herman Kron for Isaac T. Flatto, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—97 Dyckman street and 173 Nagle avenue, southeast corner (Block No. 2150, part of Lot No. 91), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron and Isaac T. Flatto.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(628-37-BZ)

WHEREAS, Herman Kron, for Isaac T. Flatto, owner, filed December 31, 1937, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station; Premises: 97 Dyckman street and 173 Nagle avenue, southeast corner (Block No. 2150, part of Lot No. 91), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 19, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Dyckman street is in an unrestricted, business and residence use district; Nagle avenue is in a business use district; St. Nicholas avenue is in a residence and business use district and Academy street is in an unrestricted, business and residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated December 10, 1937, N.B. Application No. 233-1937 reads:

"1. Gasoline service station not permitted in a business district. Art. 2, Sec. 4 Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 225 ft. on Nagle avenue and 493 ft. on Dyckman street. The north portion of the plot is located in a business use district and the remainder is in an unrestricted use district. Upon the northwesterly portion of the plot there is located a gasoline service station—including a one story office and accessory building approximately 18 ft. by 30 ft. in area. It is proposed to relocate this building, and, also, to erect a one story metal building 46 ft. by 26 ft. in area to be used as office, lubritorium and auto laundry; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the Board deemed that the applicant had substantiated a basis of appeal under section 21 of the building zone resolution and was, therefore, entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, to permit the rearrangement of the existing gasoline station, established prior to 1925, substantially as indicated on plans filed with this appeal, *on condition* that all open grease pits shall be entirely removed and no open grease pits shall be installed; that the new accessory building shall be constructed substantially as indicated on plans filed with this appeal and of a design as indicated; that there shall be constructed a substantial fence along the Nagle avenue street line from the rear of the accessory building, as indicated, to the lot line and a fence southerly along the interior lot line to the existing steel garages; that no gasoline pumps shall be erected nearer than 10 ft. to the street line of Dyckman street or Nagle avenue; that parking and storage of more than five motor vehicles may be permitted on the easterly portion of the plot within the business district to the rear of the accessory building; that signs shall be restricted to permanent signs attached to the accessory building, excluding all roof signs and temporary signs, but permitting the erection of a post standard within the building line for the support of a sign, which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that where not occupied by accessory buildings, the area shall be paved with cement or Colprovia or similar hard surfacing; that curb cuts shall not exceed those now existing; that no certificate of occupancy shall be issued until the work re-

ferred to and the terms of this resolution are complied with; that all permits shall be obtained and all work completed within one (1) year from the date of this action.

398-38-BZ.

APPLICANT—Sydne Schleman for Beatrice Gamso, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution to permit in a residence use and "E" area district, the erection of an extension to an existing dwelling, not conforming with the ten (10) foot setback required by the building zone resolution.

PREMISES AFFECTED—827 East 21st street, east side, 100 ft. north of Glenwood road (Block No. 5242, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. W. Gamso and J. Abramson.

For Opposition: W. H. K. Davey, B. W. Burger and H. C. Wetteran.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(398-38-BZ)

WHEREAS, Sydne Schleman, for Beatrice Gamso, owner, filed May 20, 1938, an application under the building zone resolution to permit in a residence use and "E" area district, the erection of an extension to an existing dwelling, not conforming with the ten (10) foot set back required by the Building Zone Resolution; Premises: 827 East 21st street, east side, 100 ft. north of Glenwood road (Block No. 5242, Lot No. 11), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 19, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 21st street is in a residence use and "E" area district; Elmore place is in a residence use and "E" area district; Glenwood road is in a residence use and "E" and "C" area district and Ocean avenue is in a residence use and "C" area; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated April 21, 1938, re Applic. No. 5105-1938, reads:

"Proposed extension of present building to Building Line contrary to Article 4 Section 15, of the Zone Resoluton in reference to the required 10 ft. set back in a residence district. Therefore, application denied as contrary to zone."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 40 ft. and a depth of 100 ft. Upon the plot (and setting back 10 ft. 6 in. from the building line) there is located a two-story and attic frame dwelling, 24 ft. by 48 ft. 6 in. in area. It is proposed to add a one-story addition, 30 ft. by 23 ft. in area, to the front of the existing building; said addition to set back 3 ft. 0 in. from the building line instead of the required 10 ft. set back. Entire building to be occupied as a dwelling and doctor's office; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that the applicant was entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 21 thereof, to permit the extension of the building as herein proposed, except that the extension shall be rearranged so that no part shall be nearer to the street line than six feet; that the architectural design of the building shall be substantially as indicated on plans filed with this appeal; that the extension shall be constructed of red face brick walls to harmonize with those of the adjoining buildings and no lighter in color; that in all other respects the building shall comply with the zoning requirements and that this extension shall be used for no use other than a doctor's office for the doctor residing on the premises; that all permits required shall be obtained and all work completed within one year from the date of this action.

409-38-BZ.

APPLICANT—Joseph Rothman for Rubel Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district the maintenance of a lumber yard.

PREMISES AFFECTED—86-70 76th street, west side, 146 ft. south of Jamaica avenue (Block No. 8904, part of Lot No. 7), Woodhaven, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Rothman.

For Opposition: Raymond M. Tierney and Frances Goeller.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(409-38-BZ)

WHEREAS, Joseph Rothman, for Rubel Corporation, owner, filed May 25, 1938, an application under the building zone resolution to permit in a residence use district the maintenance of a lumber yard; Premises: 80-70 76th street, west side, 146 ft. south of Jamaica avenue (Block No. 8904, part of Lot No. 7), Woodhaven, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 19, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jamaica avenue is in a business use district; 76th street is in a residence and business use district and 75th street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings dated April 27, 1938, re violations No. 556 & 662, reads:

"In reply to your communication of the 18th inst., your request for a certificate of occupancy for the above premises for use as a lumber yard and office is denied, inasmuch as the premises are located within a residence district, and the use requested is prohibited by section 3 of the building zone resolution within such a district. Reference is made to 417-37-A of the Board of Standards and Appeals."

and

WHEREAS, the premises, part of a larger parcel of ground, has a frontage of 71 ft. and a depth of 84 ft., irregular in area, and was formerly occupied as a part of an ice plant, but the building on this portion has been demolished and it is now proposed to maintain the plot as a lumber yard; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that the applicant was en-

titled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 thereof, to permit the occupancy of the present site as a lumber yard, for a term coincident with the balance of the existing lease with the Bramholl Lumber Company, entered into in August, 1937, for a term of five years and in no event beyond December 31, 1942, *on condition* that the premises shall be continued in substantially the same condition as at present; that the open area surrounded by the existing walls shall be used only for the storage of finished lumber and that no woodworking machinery of any kind shall be operated; that such portable fire-fighting appliances shall be maintained on the premises as the Fire Commissioner shall direct; that the existing entrance toward the northerly portion of the premises shall not be increased or changed in location; that during the time the lumber yard is not in operation, there shall be a suitable rolling shutter or gate maintained across this opening; that no openings other than those now existing shall be constructed in any of the surrounding walls; that all the terms of this resolution shall be complied with and a certificate of occupancy shall be obtained within one month from the date of this action.

Adjourned, 1:00 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, JULY 19, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

517-30-BZ.

APPLICANT—Morris Canter, owner.

SUBJECT—Application for consideration—reopening under new proposal—re decision of the borough superintendent, under Section 21 of the building zone resolution, to permit in a residence district the parking and storage of more than five (5) motor vehicles. (Previously denied for erection of business building).

PREMISES AFFECTED—1385 Franklin avenue, west side, 133.65 ft. south of East 170th street (Block No. 2931, Lot No. 64), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

408-38-BZ.

APPLICANT—W. J. McMahon, lessee for Hans Donhauser, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent) under section 21 of the building zone resolution to permit partly in a business district and partly in a residence district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—72-01 Astoria boulevard (Grand Central parkway extension) northeast corner of 72d street (Block No. 1004, Lot No. 52), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

266-36-BZ.

APPLICANT—Lama & Proskauer for Frederick Reiner, owner.

SUBJECT—Application reopened December 14, 1937 re (decision of the commissioner of buildings) under section 7c of the building zone resolution to permit the extension from an unrestricted use district into a business use district of an existing gasoline service station.

PREMISES AFFECTED—90-25 to 90-33 Horace Harding boulevard (Nassau blvd.) northeast corner of Queens boulevard (Block No. 1876, Lot No. 1 and part of Lot No. 21), Elmhurst, Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and Fred Reiner.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Commissioners Savage and Blum and Assistant Chief Walsh	3
Negative: Chairman Murdock	1
Absent	0

THE RESOLUTION—

(266-36-BZ)

WHEREAS, this application of Lama and Proskauer, architects, for Frederick Reiner, owner, under section 7 subdivision C of the building zone resolution, to permit the extension, from an unrestricted use district into a business use district, of an existing gasoline service station, affecting premises 90-25 to 90-33 Horace Harding boulevard (Nassau boulevard), northeast corner of Queens boulevard (Block No. 1876, Lot No. 1 and part of Lot No. 21), Elmhurst, Borough of Queens, was withdrawn January 5, 1937, reopened and restored to calendar, December 14, 1937; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, July 19, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a business use district and Horace Harding boulevard (Nassau boulevard) in an unrestricted and business use district; and

WHEREAS, the decision of the Borough Superintendent, dated April 18, 1938, in acting on N.B. Applic. No. 3633-36, reads:

> "1. The creation of a gasoline service station within so much of the plot, as is located within a business district (although additional portion of the plot is within an unrestricted district) is contrary to section 4 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 194 ft. on Horace Harding boulevard and 76 ft. on Queens boulevard. An irregular shaped area at the westerly portion of the plot is in the unrestricted use district—the remainder is in the business use district. The portion of the premises located in the unrestricted use district is occupied as a gasoline service station. It is proposed to erect the necessary tanks and pumps upon the part of the plot located in the business use district and to use the entire plot as a gasoline service station; and

WHEREAS, the plot and surrounding area were inspected by a committee of the Board, verbal report of which inspection recommended that the application be granted, to permit the portion of the area within the business use zone to be used as a gasoline station on lot 21, provided the only construction is the additional pumps and gasoline tanks shown, which gasoline pumps should be not nearer than 15 ft. to the street line and that no additional curb cuts shall be installed on Queens boulevard, there being one now existing, and that two additional curb cuts may be installed on Nassau boulevard; that plans shall be submitted to the Board for approval by the Chairman in behalf of the Board, showing the layout and landscaping of the sectioned areas along Queens boulevard and Horace Harding boulevard.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7c, in accordance with the report of the committee, subject to such conditions as the Board may deem desirable to impose after complete plans have been submitted for further approval.

344-38-BZ.

APPLICANT—Lama and Proskauer, for The Borden Company, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—942-958 DeKalb avenue, southwest corner of Lewis avenue (Block No. 1601, Lot No. 24), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: Albert Reiss.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(344-38-BZ)

WHEREAS, Lama & Proskauer, architects for the Borden Company, owner, filed May 9, 1938, an application under section 7, subdivision H of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district for a temporary period of not more than two years, the parking and storage of more than five motor vehicles, affecting premises 942-958 DeKalb avenue, southwest corner of Lewis avenue (Block No. 1601, Lot No. 24), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting July 19, 1938 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that DeKalb and Lewis avenues are in a business use district and Kosciusko street is in an unrestricted and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated May 3, 1938, re Application No. 3251-1938, reads:

> "Proposed storage and parking for more than 5 cars in a business district contrary to Sec. 4(a) subdivision 15 also Art. 5, Sec. 21 of zone resolution. Therefore application is denied."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 225 ft. on DeKalb avenue, 150 ft. on Lewis avenue and 100 ft. on Kosciusko street. The northerly portion of the plot is located in a business use district and the southerly portion is located in an unrestricted use district. It is proposed to occupy the plot, for a temporary period of not more than 2 years for the parking and storage of more than 5 motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, verbal report of which inspection recommended that the application be denied as to the use of the portion in the business district for parking and storage, but recommended that the application be granted as to the portion of the area in the business district, not more than 25 ft. in width across the entire length of the lot as a connecting link between the two portions of the lot within the unrestricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7h, for a period of two years from the date of this action, only so far as it has reference to the portion of the plot within the business use district for a width of 25 ft. parallel to Kosciusko street and adjoining the unrestricted district, *on condition* that there shall be a fence erected on a line parallel to DeKalb avenue, 75 ft. back therefrom; that there shall be no entrances to Lewis avenue from this portion of the plot within the business use area and that the plot herein not included for parking and storage use, facing on DeKalb avenue, shall not be used for any nonconforming use; that all permits shall be obtained and all work completed within one year from the date of this action and that such portion herein permitted in the business use area shall be used in conjunction with the unrestricted area for the parking and storage.

233-33-BZ.

APPLICANT—Harry J. Cooke, for Zahn & Cooke, lessees.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings) under sections 7-B and 21 of the building zone resolution, permitting the extension from an unrestricted district into a business district of an existing gasoline service station.

PREMISES AFFECTED—1517-1543 Myrtle avenue, southeast corner of Grove street (Block No. 3328, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Chas. E. Zahn.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(233-33-BZ)

WHEREAS, this application affecting premises 1517-1543 Myrtle avenue, southeast corner of Grove street, (Block No. 3328, Lot No. 1), Borough of Brooklyn, was granted by the board October 8, 1935, on certain conditions, amended April 21, 1936, and owner requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 8, 1935, by adding thereto: "that nothing herein contained shall prevent the use of the existing building at the intersection of Myrtle avenue and Grove street as a salesroom for motor cars, *on condition* that the occupancy of such building complies in all respects with all laws and regulations applicable thereto as a conforming use and that such building shall have no opening to the gasoline selling station on this plot; that if access to this building for use as a motor vehicle salesroom requires cutting of curb, that such curb cut shall be permitted."

Resolved further that in the event the owner desires to remove the existing salesroom building at the intersection of Myrtle avenue and Grove street, such building may be removed and the area may be left vacant, on condition that no gasoline selling or servicing equipment shall be installed thereon; that the existing curb cut formerly permitted as entrance to the salesroom building, may be used as exit from the greasing rack area; and that a similar curb cut may be installed on Grove street, for such exiting of cars.

APPEALS FROM ADMINISTRATIVE ORDERS

535-38-A.

APPLICANT—Brooklyn Trust Company, as Trustee, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—125 Beach 17th street, southeast corner of Seagirt avenue (Block No. 150, Lot No. 1), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Raymond F. Wilson.

ACTION OF BOARD—Laid over for further consideration by the board, pending an inspection by a committee of the board.

588-38-A.

APPLICANT—Jones and Larson, for Phelps Dodge Refining Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—East side of Clifton street (46th street), 450 ft. south of Creek street (56th drive); (Block Nos. 2553 and 2529, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: George Edward Wolfe and John T. Underwood.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to July 20, 1938 at 2 P. M.—applicant to file revised plans.

603-38-A.

APPLICANT—Louis F. Siedman, for Estate of Edward P. Morse, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—547-571 Watkins street, northeast corner of Lott avenue (Block No. 3618, Lot Nos. 1 and 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis F. Siedman.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Laid over to July 22, 1938 at 10 A. M., pending an inspection by a committee of the board.

606-38-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from a decision of the deputy commissioner, Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—115 Amity street, northeast corner of Henry street (Block No. 291, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration: F. J. Hart, Department of Housing and Buildings.

ACTION OF BOARD—Laid over for further consideration by the board, pending an inspection by a committee of the board.

607-38-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—117 Amity street, north side, 16 ft. 10 in. east of Henry street (Block No. 291, Lot No. 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration: F. J. Hart, Department of Housing and Buildings.

ACTION OF BOARD—Laid over for further consideration by the board, pending an inspection by a committee of the board.

608-38-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—119 Amity street, north side, 33 ft. 4 in. east of Henry street (Block No. 291, Lot No. 51), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration—F. J. Hart, Department of Housing and Buildings.

ACTION OF BOARD—Laid over for further consideration by the board pending an inspection by a committee of the board.

609-38-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—121 Amity street, north side, 49 ft. 10 in. east of Henry street (Block No. 291, Lot No. 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration—F. J. Hart, Department of Housing and Buildings.

ACTION OF BOARD—Laid over for further consideration by the board pending an inspection by a committee of the board.

610-38-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

MINUTES

SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.
PREMISES AFFECTED—125 Amity street, north side, 82 ft. 10 in. east of Henry street (Block No. 291, Lot No. 48), Borough of Brooklyn.
APPEARANCES—
For Applicant: Howard Chapman.
For Administration—F. J. Hart, Department of Housing and Buildings.
ACTION OF BOARD—Laid over for further consideration by the board pending an inspection by a committee of the board.

611-38-A.
APPLICANT—Howard Chapman, for Long Island College Hospital, owner.
SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.
PREMISES AFFECTED—127 Amity street, north side, 99.4 ft. east of Henry street (Block No. 291, Lot No. 47), Borough of Brooklyn.
APPEARANCES—
For Applicant: Howard Chapman.
For Administration—F. J. Hart, Department of Housing and Buildings.
ACTION OF BOARD—Laid over for further consideration by the board pending an inspection by a committee of the board.

612-38-A.
APPLICANT—Howard Chapman, for Long Island College Hospital, owner.
SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.
PREMISES AFFECTED—110-118 Amity street, southeast corner of Henry street (Block No. 296, part of Lot No. 5), Borough of Brooklyn.
APPEARANCES—
For Applicant: Howard Chapman.
For Administration—F. J. Hart, Department of Housing and Buildings.
ACTION OF BOARD—Laid over for further consideration by the board pending an inspection by a committee of the board.

613-38-A.
APPLICANT—Howard Chapman, for Long Island College Hospital, owner.
SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.
PREMISES AFFECTED—120 Amity street, south side, 90 ft. east of Henry street (Block No. 296, Lot No. 10), Borough of Brooklyn.
APPEARANCES—
For Applicant: Howard Chapman.
For Administration—F. J. Hart, Department of Housing and Buildings.
ACTION OF BOARD—Laid over for further consideration by the board pending an inspection by a committee of the board.

614-38-A.
APPLICANT—Howard Chapman, for Long Island College Hospital, owner.
SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.
PREMISES AFFECTED—122 Amity street, south side, 117 ft. east of Henry street (Block No. 296, Lot No. 11), Borough of Brooklyn.
APPEARANCES—
For Applicant: Howard Chapman.
For Administration—F. J. Hart, Department of Housing and Buildings.
ACTION OF BOARD—Laid over for further consideration by the board pending an inspection by a committee of the board.

615-38-A.
APPLICANT—Howard Chapman, for Long Island College Hospital, owner.
SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.
PREMISES AFFECTED—149 Congress street, north side, 90 ft. east of Henry street (Block No. 296, Lot No. 46), Borough of Brooklyn.
APPEARANCES—
For Applicant: Howard Chapman.
For Administration—F. J. Hart, Department of Housing and Buildings.
ACTION OF BOARD—Laid over for further consideration by the board pending an inspection by a committee of the board.

616-38-A.
APPLICANT—Howard Chapman, for Long Island College Hospital, owner.
SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.
PREMISES AFFECTED—359 Henry street, east side, 50 ft. south of Amity street (Block No. 296, part of Lot No. 5), Borough of Brooklyn.
APPEARANCES—
For Applicant: Howard Chapman.
For Administration—F. J. Hart, Department of Housing and Buildings.
ACTION OF BOARD—Laid over for further consideration by the board pending an inspection by a committee of the board.

617-38-A.
APPLICANT—Howard Chapman, for Long Island College Hospital, owner.
SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.
PREMISES AFFECTED—361 Henry street, east side, 73 ft. south of Amity street (Block No. 296, part of Lot No. 5), Borough of Brooklyn.
APPEARANCES—
For Applicant: Howard Chapman.
For Administration—F. J. Hart, Department of Housing and Buildings.
ACTION OF BOARD—Laid over for further consideration by the board pending an inspection by a committee of the board.

618-38-A.
APPLICANT—Howard Chapman, for Long Island College Hospital, owner.
SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.
PREMISES AFFECTED—363 Henry street, east side, 74.5 ft. north of Congress street (Block No. 296, Lot No. 4), Borough of Brooklyn.
APPEARANCES—
For Applicant: Howard Chapman.
For Administration—F. J. Hart, Department of Housing and Buildings.
ACTION OF BOARD—Laid over for further consideration by the board pending an inspection by a committee of the board.

MINUTES

521-38-A.

APPLICANT—Sidney L. Strauss, for 369 Washington Street Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner, an order of the commissioner of buildings and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—384 Greenwich street, west side, 50 ft. north of North Moore street and 369 Washington street (Block No. 186, Lot Nos. 25 and 35), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Inspector Meyer, Fire Department and Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

554-38-A.

APPLICANT—Herman Kron for 600 Eleventh Avenue Corporation, lessee.

SUBJECT—Appeal from an order of the borough superintendent of buildings.

PREMISES AFFECTED—594-606 Eleventh avenue, east side, between West 44th street and West 45th street (Block No. 1079, Lot Nos. 2, 8, 56 and 62), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

621-38-A.

APPLICANT—Bush Terminal Buildings Co., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—East side of 2nd avenue, between 28th street and 29th street (Block No. 663, Lot Nos. 1 and 9), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abner J. Grossman.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

387-38-A.

APPLICANT—Oscar Fensterheim, for Commuters Cafe, Inc., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—32 Cortlandt street, north side, 70 ft. west of Church street (Block No. 61, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Oscar Fensterheim and W. L. Lester.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(387-38-A)

WHEREAS, Oscar Fensterheim, for Commuters Cafe, Inc., lessee, filed May 19, 1938, an appeal from an order and a decision of the Fire Commissioner, affecting premises 32 Cortlandt street, north side, 70 ft. west of Church street (Hudson Terminal building); (Block No. 61, Lot No. 1), Borough of Manhattan; and

WHEREAS, the order of the Fire Commissioner, dated January 13, 1938, re. Order No. 10708-LC, reads:

"Item No. 1. Discontinue the use of refrigerating machine containing more than 20 lbs. of F.12."

and

WHEREAS, said order was repeated in a decision of the Fire Commissioner, dated May 16, 1938; and

WHEREAS, the building is 22 stories (275 ft.) in height, 214.25 ft. by 186.25 ft., irregular in area and occupied: 1st floor—restaurant and stores; mezzanine—kitchen and store room; 2nd to 22nd floors—offices; and

WHEREAS, the applicant contends that the refrigerant used is known as "Freon" F-12. It is non-flammable and non-irritant; that the system used is just over the limitations of a Class "C" system, and brought within Class "B" system which allows 1000 pounds of refrigerant and 30 tons capacity; the system in use employs only 40 pounds of refrigerant and a capacity of only 8 tons; that the system is in use only during the summer months; that the restaurant is located on the street level, abutting on the Cortlandt street side of the building, with doors and windows opening directly into the street. The Hudson Tubes passenger station is 2 floors down; that to reduce the amount of refrigerant or change the system now installed would work a hardship on the lessee.

Resolved, that the Order of the Fire Commissioner No. 10708-LC be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that no more than 40 lbs. of F-12 shall be used as a refrigerant, and that in all other respects the requirements of the Administrative Code shall be complied with and the premises shall be maintained in a condition satisfactory to the Fire Commissioner.

444-38-A.

APPLICANT—Constant Rug Service & Warehouse Corporation, for Chelsea Moore Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—617-637 West 23rd street and 140-154 13th avenue, northeast corner (4th floor); (Block No. 669, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: R. W. Rohl and Joseph Adelman.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(444-38-A)

WHEREAS, Constant Rug Service & Warehouse Corpora-

tion, for Chelsea Moore Corporation, owner, filed May 27, 1938, an appeal from an order and a decision of the fire commissioner affecting premises 617-637 West 23d street and 140-154 13th avenue, northeast corner (4th floor); (Block No. 669, Lot No. 1), Borough of Manhattan; and

WHEREAS, the order of the Fire Commissioner No. 11780-LC, dated March 30, 1938, reads:

"Before a permit may be issued for your non-storage garage—4th story, the following must be done:

1. Submit evidence showing Department of Housing and Buildings has certified that this floor in part may be used as a garage in addition to the present use, i.e., rug cleaning.
2. Separate boiler from remainder of building by unpierced wall of solid masonry at least 8 inches in thickness. Entrance to boiler room to be from exterior of building only.

Note: In the meantime no garage is to be maintained on this floor (4th)."

and

WHEREAS, this order was repeated in a decision of the Fire Commissioner dated April 27, 1938; and

WHEREAS, the building is 4 stories (60 ft.) in height, 200 ft. by 100 ft. in area, of non-fireproof construction, equipped with a standpipe and located in an unrestricted use district, erected in 1921 and occupied: Cellar—boiler room; 1st floor—garage, 10 persons; 2nd floor—garage, 10 persons; 3rd floor—garage, 8 persons; 4th floor—rug cleaning, 27 persons; for which certificate of occupancy No. 19760 was issued in 1934, permitting the occupancy of the first story as a garage and the 2d, 3d and 4th stories as factory; and

WHEREAS, the applicant contends that it is proposed to erect a 4 inch hollow tile partition covered with one-half inch of cement on both sides, extending from elevator well directly across to the north wall of the building, with an opening therein, large enough to permit hand trucks to enter, protected by a Class B sliding fire door; that this arrangement will not permit trucks to enter into a section of the building where the heaters are located.

Resolved, that the Order of the Fire Commissioner No. 11780-LC be and it hereby is *modified,* and the appeal be and it hereby is *granted, on condition* that not more than three (3) trucks shall be stored on this floor and that no trucks shall be stored at any time unless those belonging to the tenant, and that the trucks shall be on the floor only for the purpose of loading and unloading carpets or rugs being cleaned; that there shall be constructed across the floor from the partition separating the freight elevators to the northerly exterior wall, a terra cotta block wall from floor to ceiling, entirely separating the rear portion to the east from the portion in which the heaters having open flame are located; that any openings in this wall shall be protected with self-closing, automatic, fireproof doors not over 80 sq. ft. in area; that the door to the easterly elevator shall be kept permanently locked and not used for automobiles during the continuation of this modification; that this modification shall continue only so long for the purposes as herein described; and that the building in all other respects shall comply with all laws, rules and regulations applicable thereto, as modified by this Board under Cal. No. 466-32-S.

527-38-A-WF.

APPLICANT—Austin W. Magee and Max Grossgold, for Blue Fair, Inc., lessee; Winter Realty and Construction Co., owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—134-26 to 134-28 Northern boulevard, south side, 75 ft. west of Prince street (Block No. 4967, Lot No. 45), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Austin W. Magee.

For Opposition: Joseph Gonden.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(527-38-A-WF)

WHEREAS, Austin W. Magee, for Blue Fair, Inc., lessee, filed on June 23, 1938, an application for the approval of the erection of a sign exceeding 30 square feet in area, for the use of premises for restaurant, bar and grill, music and dancing, within the World's Fair area, as cited in a decision of the borough superintendent, department of housing and buildings, affecting premises, 134-26 to 134-28 Northern boulevard, south side, 75 ft. west of Prince street (Block No. 4967, Lot No. 45); (known as Store No. 4 in the building), Flushing, Borough of Queens, and

WHEREAS, the decision of the borough superintendent, No. 1591-38, dated June 15, 1938, reads:

"Referring to your application for certificate of occupancy for restaurant bar grill, music and dancing, dining room, music and dancing, please be advised that your application is hereby denied as same is contrary to section 8 of the World's Fair resolution, as a place of entertainment and amusement within the World's Fair area is prohibited."

and

WHEREAS, the decision of the borough superintendent on alteration application 4260-38, dated June 14, 1938, reads:

"The erection of a sign exceeding 30 sq. ft. in area in the World's Fair area is contrary to sec. 4 of the World's Fair zone resolution."

and

WHEREAS, the store in question is 26 ft., 6 inches in front by 50 feet in depth, located in a building 2 stories in height, 237 feet 2⅞ inches by 50 feet in area, of non-fireproof construction located in an unrestricted use district, erected in 1937 and occupied: Cellar, storage; 1st floor, restaurant, bar and grill, music, dancing—35 persons; 2nd floor, restaurant, music, dancing—50 persons; and

WHEREAS, the applicant contends as to the decision of the superintendent of buildings, dated June 15, 1938, No. 1591-38, that the lessee has a 10 year lease and has spent 20,000 dollars on fixtures and equipment; that he would like to obtain a restricted cabaret license to permit music and dancing without a floor show; that the type of entertainment that it is proposed to use is a small unit known as "Strollers" consisting of a piano, accordian and guitar; that this one unit will be used to cover both floors; and

WHEREAS, the applicant contends as to the decision of the superintendent dated June 14, 1938 on alteration application 4260-38, that the sign in question is 2 feet 6 inches high, by 26 feet long, and reads as follows: "Bluefair Restaurant and Bar" in blue and ruby red Neon tubing; that the location of the premises and the fact that the sign is flat against the wall, eliminates any gainful advertising to be obtained from the World's Fair; that the sign advertises the business conducted on the premises.

Resolved, that the decision of the borough superintendent, acting on Alt. App. No. 4260-38, be and it hereby is *modified,* and the appeal be and it hereby is *granted, on condition* that the sign shall not exceed the area stated herein and that no additional sign shall be erected; that the decision of the borough superintendent, acting on Application No. 1591-38, be and it hereby is *modified,* and the appeal be and it hereby is *granted* as to the proposed use of the building for a restricted type of cabaret within the World's Fair area as described herein, *on condition* that nothing herein contained shall be deemed as interfering with the jurisdiction of the Police Commissioner as to the issuance of cabaret license.

MINUTES

571-38 A.

APPLICANT—J. M. Berlinger for Augustus Chesebrough, et al., owners.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—132-138 Fourth avenue, southwest corner of East 13th street (Block No. 564, Lot No. 45), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles Warner, J. M. Berlinger and Charles I. Goldman.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(571-38-A)

WHEREAS, J. M. Berlinger, for Augustus Chesebrough, et al., owners, filed on June 30, 1938, an appeal from decisions of the Borough Superintendent, Department of Housing and Buildings, affecting premises 132-138 Fourth avenue, southwest corner of East 13th street (Block No. 564, Lot No. 45), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent on Drop Curb App. 44-38, dated June 23, 1938, reads:

"3. The premises are now located in a business district as rezoned on April 17, 1938. A gasoline service station would be contrary to section 4, subdivision 46 of the Zoning Resolution."

and

WHEREAS, the decision of the Borough Superintendent on N.B. App. 60-38, dated June 24, 1938, reads:

"4. Use of District has been changed from an Unrestricted Use to a Business Use and erection of or maintenance of a Gasoline Service Station is contrary to sec. 4 Bldg. Zone Resolution. Reconsideration denied.

5. Comply with Sec. 21 Bldg. Zone Reso. for this use. Reconsideration denied.

7. Alteration application No. 1815-1937 withdrawn 3-30-38, filed for same premises was objected to for curb cuts, as follows:

Hazardous to pedestrians to use building or premises as a gasoline station in the opinion of this department."

and

WHEREAS, the premises consist of a plot 100 ft. by 100.8 ft., irregular in area located in a business use district, on which it is proposed to erect a brick, steel and glass structure one story in height, of nonfireproof construction, to be occupied as follows: Gasoline service station, sales and display rooms, storage and rest rooms; and

WHEREAS, the premises in question are within an area changed from unrestricted use to business use on March 16, 1938, by the City Planning Commission; and

WHEREAS, the applicant contends that the refusal of the Superintendent of Buildings to reconsider, and to issue the permit for the erection of the improvement in accordance with the filed plans and for the drop curb, it is respectfully submitted, is an abuse of discretion, is unfair and unjust and is a deprivation of a valuable property right of the owners and should be reversed; and

WHEREAS, the board deemed that the appeal should not be granted in view of the change of zone; that a variance of the zone requirements can be considered only when filed as a building zone application, subject to the regular procedure as required by the rules of procedure.

Resolved, that the decision of the Borough Superintendent on Drop Curb App. No. 44-38, dated June 23, 1938, be and it hereby is *affirmed*, and that the appeal as to this item, be and it hereby is *denied*, and that the appeal as to the decision on N. B. App. 60-38, dated June 24, 1938, be and it hereby is *dismissed* as being improperly before the board.

573-38-A.

APPLICANT—Eggers and Higgins for F. & M. Schaefer Brewing Company, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—2-16 South Ninth street, south side, 230 ft. west of Kent avenue (Block No. 2143, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jules L. Haut.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(573-38-A)

WHEREAS, Eggers and Higgins, for F. & M. Schaefer Brewing Company, owner, filed on June 5, 1938, an appeal from a decision of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 2-16 South Ninth street, south side, 230 ft. west of Kent avenue (Block No. 2143, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent, dated July 13, 1938, on App. No. 10147-38 reads:

"1. Standpipe system is required as per 16-1-1-3 of Building Code."

and

WHEREAS, the building is fireproof two stories (25 ft.) in height, 109 ft. 5 in. by 168 ft. 8 in. in area and occupied: Cellar—storage, 0 persons; proposed 6 persons; 1st floor—storage, 6 persons; 2d floor—storage and locker, 6 persons; located in an unrestricted use district; erected about 1880; and

WHEREAS, the applicant contends that it is proposed to extend the existing building by increasing its area from 10,000 sq. ft. to 19,000 sq. ft.; that the building is of reinforced concrete construction; that the extension is only two stories and basement in height with a ground area of 8,500 sq. ft. and is to be used for the storage of beer kegs, which kegs are either filled with beer or kept thoroughly wet to prevent leakage; that numerous water outlets with one-inch diameter hose are provided throughout the building for the purpose of washing down and spraying every corner of the building.

Resolved, that the decision of the Borough Superintendent, acting on Application No. 10147-38, dated July 13, 1938, be and it hereby is *modified*, and the appeal be and it hereby is *granted, on condition* that the building shall not be further increased in height or area and shall be maintained and occupied as set forth in the statement of this applicant; and that in all other respects all requirements of the Building Code and all laws, rules and regulations applicable thereto as to construction and occupancy of this building shall be complied with.

575-38-A.

APPLICANT—Gen. Raff De Vitofrancesco S. & P. Club.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—Barge, 1,500 ft. off shore, Pleasant Bay Park, on Baxter Creek, foot of Ferris avenue (Block No. 5622, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Leonard A. Mitarotonda.

For Administration: Inspector Meyer, Fire Department.

MINUTES

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(575-38-A)

WHEREAS, Gen. Raff. De Vitofrancesco S. & P. Club, applicant, filed on July 6, 1938, an appeal from a decision of the fire commissioner, affecting barge 1500 ft. off shore, Pleasant Bay Park, Baxter Creek, foot of Ferris avenue (Block No. 5622, Lot No. 1), Borough of The Bronx; and

WHEREAS, the decision of the fire commissioner, dated June 30, 1938, re. Order No. 13365-LC, reads:

"Your application, dated June 29, 1938, for permission to display fireworks to be discharged from a barge located at least 1200 feet off shore at Pleasant Bay Park, Baxter Creek, foot of Ferris avenue, Bronx, New York, on August 14th and 15th, 1938, is denied for the reason that it is the policy of this department to deny such requests in the interest of public safety. Furthermore, Chapter 19-44.0 of the Administrative Code prohibits the discharge of such fireworks.

Note: Under the provisions of Chapter 503, Laws of 1916 this order may be appealed within 30 days from date to Board of Standards and Appeals, room 1001, Municipal Building. In order that the appeal may stay proceedings under this order, a copy of the appeal must be filed with the Fire Commissioner."

and

WHEREAS, it is proposed to display fireworks on a barge approximately 30 ft. by 75 ft. in area, anchored 1500 ft. off shore, on August 14th and August 15th, 1938; and

WHEREAS, the applicant contends that it is a social and catholic religious society; that once a year it runs a festival in honor of the Patron Saint, St. Rocco; that the site is situated away from the residential district; that the discharge of fireworks in this location would not in any way harm, molest or annoy the nearest residents, who are approximately one-third of a mile away; that permits for this display have been granted in previous years.

Resolved, that the decision fire commissioner, dated June 30, 1938, as to Order No. 13365-LC, be and it hereby is *modified*, to permit the discharge and display of fireworks on August 14th and August 15th, 1938, *on condition* that all fireworks discharged and displayed shall be from a barge anchored not nearer than 1500 ft. off shore, as measured from Schley avenue; that such fireworks shall be discharged from a mortar anchored securely to the deck of the barge; that such display shall be under the supervision and control of a pyrotechnist holding certificate of fitness as such; that two (2) 40-gallon fire extinguishers shall be maintained; that the type of fireworks to be discharged and displayed may consist of aerial shells of various sizes, varying from 3 inches to 6 inches, illuminated flares and devices, consisting of set pieces and wheels; that a permit in compliance with this resolution shall be obtained from the Fire Department; and that in the event, on account of rain, the display cannot be held on the days hereinbefore named, the fire commissioner may permit postponement to such days as are approved by him under conditions as set forth herein.

576-38-A.

APPLICANT—Lama & Proskauer, for Knickerbocker Ice Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—443-465 Dumont avenue, northeast corner of Powell street (Block No. 3780, Lot No. 1 and part of Lot No. 36), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama, N. Resnick and Gus Goldstein.

ACTION OF BOARD—Appeal granted on condtion.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(576-38-A)

WHEREAS, Lama & Proskauer, for Knickerbocker Ice Company, owner, filed July 6, 1938, an appeal from a decision of the acting borough superintendent, Department of Housing and Buildings, affecting premises 443-465 Dumont avenue, northeast corner of Powell street (Block No. 3780, Lot No. 1 and part of Lot No. 36), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, dated June 20, 1938, reads:

"This is to advise you that, as provided by Section 2.1.2.7 of the Building Code, I have this day revoked Permit No. 5572-38 on the grounds of misrepresentation as to a material fact in the application on which the permit was based, in that premises are situated within 200 ft. of a public school, which is contrary to Section 21 of the Zone Resolution."

and

WHEREAS, the plot in question is 148 ft. by 200 ft. in area, occupied for parking and storing of more than five motor vehicles; and

WHEREAS, certificate of occupancy No. 83058 was issued July 2, 1937, to permit the parking of more than five cars, this certificate of occupancy being issued on Permit No. 5955-37. The premises are located in an unrestricted use district; and

WHEREAS, the applicant contends that under permit No. 5955-37, the Commissioner of Buildings issued a permit for parking more than five (5) motor vehicles for the above mentioned premises and Certificate No. 83058 was issued by the Department of Buildings which calls for parking space for more than five (5) cars; that subsequently thereto, an order was issued to the tenant of the parking area by the Fire Department to procure a new certificate stating:

"Parking and storage for more than five (5) motor vehicles."

that in order to comply with this request, the applicant filed a new application requesting a change in the Certificate of occupancy adding the word "storage". This was filed under Application No. 8462—June 13, 1938 and was approved by the Department of Buildings on June 15, 1938. Immediately thereafter, on June 20, 1938, the acting superintedent of buildings revoked this permit; that there was no misrepresentation as to a material fact in permit No. 5572-38 and applicant respectfully requests that this permit be reinstated.

Resolved, that the decision of the Acting Borough Superintendent, dated June 20, 1938, be and it hereby is *reversed*, restoring Permit No. 5572-38, *on condition* that no portion of the premises within 200 ft. of an exit or entrance to public school shall be used or occupied for parking or storage, and to effect this provision, proper barricade shall be erected to separate any portion of the premises within such 200 ft. from the balance of the plot; that the measurement from the exit of the school shall be taken along the line of travel and the portion so fenced off shall be rectangular in form with sides parallel to the street lines

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580-38-A.

APPLICANT—George G. Lake, for John J. Campbell, Jr. lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—370 Eighth avenue, east side 98 ft. 9 in. north of West 28th street (Block No 778, Lot No. 75), Borough of Manhattan.

MINUTES

APPEARANCES—
For Applicant: George G. Lake and Max Siegel.
For Administration: Inspector Meyer, Fire Department.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(580-38-A)

WHEREAS, George G. Lake, for John J. Campbell, Jr., lessee, filed July 7, 1938, an appeal from an order of the Fire Commissioner, affecting premises 370 Eighth avenue, east side, 98 ft. 9 in. north of West 28th street (Block No. 778, Lot No. 75), Borough of Manhattan; and

WHEREAS, the order of the Fire Commissioner, dated June 29, 1937, re. Order No. 7846-LC, reads:

"Before a permit may be issued for your refrigerating plant, the following must be done:

1. Remove or cut off the refrigerating system from the building or parts of the building, by unpierced fire-proof construction, as per Section 219-(f) Chapter 10, Code of Ordinances."

and

WHEREAS, this order was referred to in a decision of the Fire Commissioner, dated June 8, 1938; and

WHEREAS, the building is five stories and basement (55 ft.) in height, 24 ft. 8¼ in. by 90 ft. in area, of non-fireproof construction, located in a retail use district, erected in 1901 and occupied: Cellar—storage; 1st floor—restaurant; 2nd floor to 5th floor inclusive—lodging house; and

WHEREAS, the applicant contends that the premises in question, while technically termed a hotel, are actually a lodging house; that, moreover, the building in question has stores on the first floor, and for the purpose of the present appeal, the building might well be considered a business building, and the portion where the water cooler is located as the residence portion of a business building; that the system in question is a Class C system, using one and one-half pounds of Methyl Chloride, and is of the condenser type; that the cooler itself is situated in the reading room, which is of large size, well ventilated, and is under the constant supervision of a clerk.

Resolved, that the Order of the Fire Commissioner No. 7846-LC be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that in all other respects the requirements of the Administrative Code shall be complied with.

581-38-A.

APPLICANT—Eric Kebbon, for Board of Education, City of New York, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
PREMISES AFFECTED—564-586 Hegeman avenue, south side, between New Jersey avenue and Vermont street (Block No. 4324, Lot Nos. 1, 6-11, 20 and 46-61), Borough of Brooklyn.
APPEARANCES—
For Applicant: Charles Tilgner.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(581-38-A)

WHEREAS, Eric Kebbon, for Board of Education, City of New York, owner, filed July 7, 1938, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 564-586 Hegeman avenue, south side, between Vermont avenue and New Jersey avenue (Block No. 4324, Lot Nos. 1, 6-11, 20 & 46-61), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, dated June 14, 1938, re. Applic. No. 7505-1938, reads:

"Comply with pending Obj. No. 3. If proposed urinals to be installed are provided with local vents show same connected and installed as per rule No. 14-9-30 of the Building Code."

and

WHEREAS, the proposed building will be three stories, (55 ft.) in height, 182 ft. 7 in. by 52 ft. 10 in. and 89 ft. 7 in. in area, of fireproof construction, located in a business and residence use, "C" and "D" area district and to be occupied as follows: 1st, 2nd and 3rd floors—class rooms (public school); roof—playground; and

WHEREAS, the applicant contends that it is proposed to install a new type of urinal provided with a vent near the base, which ventilates the room through this vent into a pipe enclosure, that this enclosure contains only the piping and the fixture vents, which are all properly sealed, and is ventilated by a duct connected to the ventilating system to the roof; that as this enclosure contains no openings except these urinal vents.

Resolved, that the decision of the acting borough superintendent, acting on Application No. 7505-1938, be and it hereby is *modified,* and that the appeal be and it hereby is *granted on condition* that the local vents shall comply with the requirements of the Building Code (sec. 14.9.30) and that the fixture ventilation stacks shall be entirely distinct from other ventilating ducts and flues and shall extend continuously to and above the roof, but may also contain soil, waste, vent and water lines, provided such lines have no open connections within the shaft itself and are properly sealed at connection points at each floor level; that the vent stacks shall comply with the requirements of the Building Code therefor; and that nothing herein contained shall in any way relieve the owner of providing the required plumbing vents from the urinal fixtures.

584-38-A.

APPLICANT—Estate of John Moller, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
PREMISES AFFECTED—894-896a Quincy street, south side, 28 ft. 6 in. west of Broadway (Block No. 1479, Lot No. 8), Borough of Brooklyn.
APPEARANCES—
For Applicant: William S. Webb and Lester J. Holler.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(584-38-A)

WHEREAS, the Estate of John Moller, owner, filed on July 8, 1938 an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 894-896a Quincy street, south side, 28 ft. 6 in. west of Broadway (Block No. 1479, Lot No. 8), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent on Application No. 1972-38 dated June 30, 1938, reads:

"Business occupancy on 2d floor in frame building in fire limits violates Sect. 4.2.1 Building Code and C26-254.0."

and

WHEREAS, the building is 2 stories (22 ft.) in height, 33 ft. by 48 ft. 9 in. in area of frame construction, brick filled, located in a business use district, grade floor erected in 1885, 2d floor in 1928, and occupied: Cellar—storage; 1st floor—stores; 2d floor—beauty parlor, 12 persons; and

WHEREAS, the applicant contends that the building has been used for business purposes above grade floor since 1928; that the character of the neighborhood is business; that other frame buildings in the neighborhood are used for business purposes; that floor beams are more than ample to carry any weight incident to the beauty parlor occupancy; that there is an outside stairway leading directly from the second floor to the yard in addition to the usual inside stairway.

Resolved, that the decision of the Borough Superintendent, acting on Application No. 1972-38 be and it hereby is *modified,* and the appeal be and it hereby is *granted, on condition* that the building shall not be increased in height or area; that the equipment for the proposed beauty parlor on the 2nd floor shall not exceed the floor carrying capacity; that the exit conditions shall be mantained as indicated in plans filed with this appeal; that no additonal business shall be installed on the 2nd floor other than beauty parlor herein permitted.

586-38-A.

APPLICANT—Francis L. Shea, for Veronica Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—15 Columbus circle, 1822-1850 Broadway, 2-8 West 61st street and 1-12 Central Park West (Block No. 1113, Lot No. 29), Borough of Manhattan.

APPEARANCES—

For Applicant: Francis L. Shea.

For Administration: Inspector Meagher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(586-38-A)

WHEREAS, Francis L. Shea, for Veronica Realty Corporation, owner, filed July 13, 1938, an appeal from an order and a decision of the fire commissioner affecting premises 15 Columbus circle, 1822-1850 Broadway, 2-8 West 61st street and 1-12 Central Park West, (Block No. 1113, Lot No. 29), Borough of Manhattan; and

WHEREAS, Order No. 548-LF, issued by the Fire Commissioner May 16, 1938, reads:

"1. Replace all the missing outlet valves, the approved 2½ in. hose and racks of the standpipe system and maintain same in proper working order. Art. 17, Ch. 26, Adm. Code."

and

WHEREAS, this order was referred to in the decision of the Fire Commissioner dated June 14, 1938, filed with this appeal; and

WHEREAS, the building is 2 stories (28 feet) in height, 37 feet 11 inches by 316 feet 4½ inches by 195 feet by 261 feet 6½ inches in area, of fireproof construction, equipped with a standpipe system, erected in 1915 and occupied throughout as a business building, first floor, restaurant and stores; 2nd floor, offices, 200 persons; and

WHEREAS, the applicant contends that there are five standpipes installed in stairhalls and 3 siamese connections on 3 fronts at Building line; but not in use as it was originally proposed to erect a 30 story building and to complete the standpipe system when this 30 story building was finished; the second story office floor is divided into 4 units with a firestair to street in each unit; that the existing conditions of the standpipe system was approved and accepted by the Department of Buildings; and

WHEREAS, it appears when the plans for building were filed in 1914, the requirements of the Building Code did not require the installation of a standpipe system on account of the area of the building, but that a standpipe system was installed inasmuch as it was proposed at a later date to extend the building to a height where a standpipe system would be required.

Resolved, that the order of the Fire Commissioner No. 548-LF be and it hereby is *modified,* and the appeal be and it hereby is *granted,* waiving the requirements for the maintenance of the standpipe system, *on condition* that in all other respects the building shall comply with all such laws, rules and regulations applicable thereto and the building shall not be increased in height.

587-38-A.

APPLICANT—Erwin Rebafka, for Fifth Avenue and Fifty-First Street Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1 East 51st street and 641-643 Fifth avenue, northeast corner (Block No. 1287, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Erwin Rebafka.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(587-38-A)

WHEREAS, Erwin Rebafka, for Fifth Avenue and Fifty-First Street Corporation, owner, filed July 8, 1938, an appeal from an order of the Fire Commissioner, affecting premises 1 East 51st street and 641-643 Fifth avenue, northeast corner (Block No. 1287, Lot No. 1), Borough of Manhattan; and

WHEREAS, the order of the Fire Commissioner, dated June 13th, 1938, re. Order No. 886-LF, reads:

"1. Provide a tank on roof for standpipe system. The tank to be so elevated, and of such capacity as required by Article 17, Chapter 26, Admin. Code."

and

WHEREAS, the building is three stories in height at front and five stories (115 ft.) in height at the rear, 75 ft. by 160 ft. in area, of fireproof construction, equipped with a standpipe, located in a restricted retail district, erected in 1901 and occupied: Cellar—1 person; 1st floor—picture gallery—10 persons; 2nd floor—picture storage—0 persons; 3rd, 4th and 5th floors—vacant—0 persons; and

WHEREAS, the applicant contends that the existing standpipe system complies with the old Building Code and consists of a 4 inch riser, a steam filling pump, siamese connection and hose outlets on each floor; that general housekeeping conditions are good; that the occupancy is low; that the existing standpipe system was tested on June 29th, in compliance with an order requiring flow test; that due to the club lay out of the building it has not been possible to procure a tenant to commensurate with the carrying charges of the building; it has, therefore, been decided to demolish the structure as soon as a reasonable offer is obtained.

Resolved, that the Order of the Fire Commissioner No. 886-LF be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that the standpipe system as presently installed shall be maintained in good working condition, satisfactory to the Fire Commissioner; and that this modification shall contnue as long as building is used substantially as at present.

590-38-A-WF.

APPLICANT—Joseph Unger, for 550 Park Avenue Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—35-55 Prince street and 13-02 Northern boulevard, southeast corner (Block No. 4971, Lot No. 22), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Unger.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(590-38-A-WF)

WHEREAS, Joseph Unger for 550 Park Avenue Corporation, owner, filed on July 8, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, which revoked the permit for the erection of the sign within the World's Fair Area, affecting premises 35-55 Prince street and 13-02 Northern boulevard, southeast corner (Block No. 4971, Lot No. 22), Flushing, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, revoking permit No. 6215-37, dated July 7, 1938, reads:

"You are advised that Permit No. 6215-37 covering the erection of a sign at the above location, is hereby REVOKED as being contrary to the World's Fair Resolution."

and

WHEREAS, the premises consists of a 2 story and cellar non-fireproof building, 35 ft. in height, 54 ft. 1-9/16 in. by 98 ft. 7¾ in. in area, located in a business use district and erected under new building permit 5268-36, upon the roof of which it is proposed to erect a billboard type sign, 22 feet high, 52 feet wide, located 9 feet above the roof level and facing in a northwesterly direction; and

WHEREAS, the applicant contends that the 2nd floor of the building was intentionally constructed for the sole purpose of adding to its height, so that the sign could be installed on the roof at the proper height, and columns were carried through the roof with connections made ready for the sign; that the proposed sign does not face the World's Fair and will not be detrimental to the World's Fair.

Resolved, that the decision of the Borough Superintendent, dated July 7, 1938, in revoking permit No. 6215-37, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, restoring the said permit, *on condition* that in all other respects the sign structure complies with all laws, rules and regulations applicable thereto; that the sign shall be single faced, facing northwesterly only; that the sign structure shall not be increased beyond the area herein shown.

596-38-A.

APPLICANT—Croker Fire Prevention Corporation, for Newton Building Co., Inc., owner.

SUBJECT—Appeal from orders of the borough superintendent of buildings and a decision of the fire commissioner.

PREMISES AFFECTED—342 West 14th street, 666-672 Hudson street and 339 West 13th street, northeast corner (Block No. 629, Lot Nos. 4 and 15), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Strauss.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(596-38-A)

WHEREAS, Croker Fire Prevention Corporation, for Newton Building Co., Inc., owner, filed July 6, 1938, an appeal from an order of the Fire Commissioner and an order of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 342 West 14th street, 666-672 Hudson street and 339 West 13th street, northeast corner (Block No. 629, Lot Nos. 4 and 15), Borough of Manhattan; and

WHEREAS, Order No. 38922-F, issued by the Fire Commissioner March 4, 1938, reads:

"1. Replace the missing shutters with proper iron shutters or approved fireproof windows at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at north, east and west sides of building or other approved protection, as per Chapter 929, Laws of 1937."

and

WHEREAS, said Order was repeated in decision of the Fire Commissioner, dated June 21, 1938, filed with this appeal; and

WHEREAS, Violation No. 2724, issued by the Borough Superintendent June 14, 1938, reads:

"Required iron shutters are missing at the various openings on the several floors; also existing iron shutters are in need of repair, scraping and painting.

You are hereby directed to replace iron shutters where missing and properly repair, scrape and paint all shutters protecting exterior openings rear of building."

and

WHEREAS, the building is 6 stories (72 ft.) in height, 157 ft. front on West 13th street; 111 ft. 4 in. on Hudson street and 25 ft. on West 14th street; of non-fireproof construction; equipped with a standpipe and a sprinkler system; located in an unrestricted district and occupied: Cellar—storage and boiler room, 3 persons; 1st floor—restaurant and factory, 43 persons; 2nd floor—picture framing, 25 persons; 3rd floor—factory and storage, 64 persons; 4th floor—factory and storage, 70 persons; 5th floor—dyeing plant and storage, 16 persons; 6th floor—dyeing and machine shop, 27 persons; and

WHEREAS, applicant contends that the sprinkler system is arranged so that in no case is a sprinkler head more than 5 ft. from the centre of a window; that the exposures requiring these shutters are a six-story apartment house and a four-story store and loft building on the north, and a church, school and a three-story store and furniture room building on the east; that in view of the fact that the exposures cannot be considered as hazardous and further that the sprinkler system as installed, provides protection for the premises, it is respectfully requested that the order as issued, be modified permitting windows now having shutters to remain as they now exist, and further permitting the removal of shutters which are now in poor condition, and further permitting the painting of all shutters that may remain only where they are now in sound condition.

Resolved, that the order of the Fire Commissioner, No. 38922-F, be and it hereby is *modified* and that the appeal be and it hereby is *granted, on condition* that fireproof windows or shutters shall be maintained on all windows opening easterly in the site courts adjoining the school at 327 to 335 West 13th street and the church at 330 West 14th street and also on all windows opening from the ex-

tension of the building No. 342 West 14th street to the interior side line court of the multiple dwelling at 344-346 West 14th street; and that the sprinkler system shall be maintained in good working condition and that there shall be a sprinkler head not less than five (5) feet away from all windows which are the subject of this order, including those requiring shutters as herein provided.

597-38-A.

APPLICANT—John M. Baker, for Beebe Roller Skating Rink, Inc., lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—37-28 30th street, north side, 70 ft. 4 in. east of 38th avenue and 214 Old Ridge road (Block No. 371, Lot No. 34), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: John M. Baker.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(597-38-A)

WHEREAS, John M. Baker, for Beebe Roller Skating Rink, Inc., lessee, filed on July 7, 1938, an appeal from a decision of the Borough Superintendent, affecting Premises 37-28 30th street, north side, 70 ft. 4 in. east of 38th avenue, and 214 Old Ridge road (Block No. 371, Lot No. 34), Astoria, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, dated June 17, 1938, re App. 2615-38, reads:

"Your application made to the Department of Licenses, Municipal Building, Brooklyn, N. Y., for a common show-roller skating rink license for premises located at 37-28 30th street, Astoria, L. I., N. Y., is hereby DENIED as same is contrary to Sect. 4.2.1 of the Building Code as building is constructed as a factory building; change to public building, therefore, not permissible as building is approximately 98 ft. by 100 ft. in area."

and

WHEREAS, the building is 2 stories (25 ft.) in height, 98 ft. 9½ in. by 143 ft. 2⅝ in., irregular in area; of non-fireproof construction; located in an unrestricted and business use district; erected in 1925 and occupied: Cellar—boiler room; 1st floor—light manufacturing, 30 persons; 2nd floor—office, 14 persons; it is proposed to convert the use of the building to: 1st floor—roller skating rink, 600 persons; 2nd floor—office, 14 persons; and

WHEREAS, applicant contends that the building was originally erected as a garage and motor vehicle repair shop; that the building fronts on two streets, the 2nd story having a smaller area, being 98 ft. 9½ in. in width and 26 ft. deep and occupied for office use; that the building is constructed of brick walls, steel columns and girders, unprotected, supporting wood floor and roof beams, ceiling of first floor under office is fire-retarded; that the stairs are of steel strings, risers and sub-treads with concrete treads, enclosed on 1st floor with 4 inch terra cotta blocks, with metal ceiling on stair side of enclosure; that the stairways on 2nd floor are enclosed with 2 in. by 4 in. studs covered with metal on both sides; that there are two (2) 12 ft. by 12 ft. sliding doors and two (2) 3 ft. 4 in. by 7 ft. 2 in. exit doors on each street front; that it is proposed to remove one sliding door on each street front and install two pairs of exit doors 5 ft. 2 in. by 7 ft. 2 in. each, opening out and equipped with anti-panic bolts; that these new doors, together with the existing doors, will provide a total of 17 ft. in width of legal exits on each street front; that the other sliding doors which will be permitted to remain, one on each street front, will have a 3 ft. 4 in. pass door in each and in case of emergency, the entire opening of 12 ft. may be obtained; that the exit facilities as provided will be more than double the requirements of 600 people; that a 2½-gallon fire extinguisher will be placed at the side of each exit; that the floor will be of maple on sleepers on top of the existing 6 inch concrete floor, which is laid on earth; that the 7600 sq. ft., which it is proposed to use for roller skating area, will be enclosed with galvanized iron pipe rail with eight openings, 5 ft. wide each; that the seats will be against the side walls, leaving 5 ft. 8 in. clear aisle space between seats and rail; that 8 ft. by 8 ft. skylights have been provided and it is proposed to install exhaust fans as required; that no structural changes are proposed, except partitions for ladies' room and toilets; these partitions will be 4 inch terra cotta blocks; that there are three (3) fire hydrants located in close proximity.

Resolved, that the decision of the Borough Superintendent, acting on App. No. 2615-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the use of the premises as proposed as a roller skating rink, *on condition* that the alteration and arrangement shall be carried out substantially in accordance with the proposal as set forth in this appeal; that the occupancy of the second floor shall not be used in conjunction with the skating rink, except only as executive offices for the tenant; that the refreshment concession shall contain no open flame; that in all other respects the building shall comply with all laws, rules and regulations applicable to the construction of this building and the proposed occupancy and that this modification shall continue only as long as the building is used as herein permitted; that no certificate of occupancy shall be issued in which the requirements of this resolution are not complied with.

601-38-A.

APPLICANT—Max Horn, for Nathan Faber, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—84-01 to 84-10 Boardwalk, northwest corner of Beach 84th street (Block No. 620, Lot No. 80), Rockaway Beach, Borough of Queens.

APPEARANCES—

For Applicant: Max Horn, Harry Faber and Peter Turgeon.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(601-38-A)

WHEREAS, Max Horn, for Nathan Faber, owner, filed July 12, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises 84-01 to 84-10 Boardwalk, northwest corner of Beach 84th street (Block No. 620, Lot No. 80), Rockaway Beach, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated July 11, 1938, re Alt. Applic. No. 3179-1938, reads:

"1. Attached frame buildings within fire limits is contrary to section 4.1.2 of the Building Code.

2. Proper sideyard not provided as required by section 4.1.3."

and

WHEREAS, the building, which is proposed to be moved back on its plot, is two stories (22 ft.) in height, 126 ft.

front on Boardwalk, 36 ft. 6 in. on Beach 84th street and 60 ft. on the westerly lot line, of frame construction, located in a business use, "C" area district, erected in 1934 and occupied: 1st floor—stores; 2nd floor—apartments; and

WHEREAS, the applicant contends that the building consists of three units, separated by cinder concrete walls, each unit consisting of stores on the ground floor and two apartments on the second floor; that the building now sets on wood piles, but when moved over to the new position, will be on a concrete foundation; that the city has taken a strip of land 214.74 ft. paralleling the Boardwalk, on which these buildings are now located; that the new arrangement will be much safer, because the buildings will set on a concrete foundation instead of on wood piles as at present and the three building units will be completely separated even in the cellar by unpierced concrete walls; that at present all three units are open below the store floor, and have no fire barrier between the units.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Applic. No. 3179-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted, on condition* that the building, in all other respects shall comply with all laws, rules and regulations applicable thereto and that the wall to the west along the lot line, shall be an unpunctured fire-retarded wall, unless the yard or court on the adjoining property is maintained for a width of at least ten (10) feet.

602-38-A.

APPLICANT—Modern Wood Products Co., Inc., lessee.
SUBJECT—Appeal from an order and a decision of the fire Commissioner.
PREMISES AFFECTED—319-327 McKibben street, north side, 120 ft. west of White street and 318-326 Boerum street (Block No. 3083, Lot No. 11), Borough of Brooklyn.
APPEARANCES—
For Applicant: Louis Schneider.
For Administration: Inspector Meyer, Fire Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—

(602-38-A)

WHEREAS, Modern Wood Products Co., Inc., lessee, filed July 8, 1938, an appeal from an order and a decision of the Fire Commissioner, affecting premises 319-327 McKibben street, north side, 120 ft. west of White street and 318-326 Boerum street (Block No. 3083, Lot No. 11), Borough of Brooklyn; and

WHEREAS, the order of the Fire Commissioner, dated March 7, 1938, re. Order No. 7456-LC, reads:

"4. Provide ventilated plain glass skylight for separate exterior storage building used for the storage of spraying material in excess of 100 gallons of spraying material. Rule 6.1.3-c, Spray Rules."

and

WHEREAS, the said order was repeated in a decision of the Fire Commissioner, dated June 8, 1938; and

WHEREAS, the building is five stories (65 ft.) in height, 100 ft. by 200 ft. in area, of mill construction, erected in 1938 and occupied: Basement—woodworking—100 persons; 1st floor—printing—100 persons; 2nd floor—manufacturing clothing—100 persons; 3rd floor—toy manufacturing—100 persons; 4th floor—clothing manufacturing—100 persons; and

WHEREAS, the applicant contends that the top of the vault, which is outside the building, is used as a ramp and loading platform for trucks and that a ventilated glass skylight would make such use impossible; that the neighborhood in which the factory is located, is frequented by bands of mischievous boys, and the smashing of factory windows occurs with regularity; that a glass skylight in a place where such boys usually gather and play, would constitute a very grave fire hazard, due to the glass being broken and matches dropped in; that due to the peculiar shape of vault, louvres in the door, perform substantially the same function as a ventilated skylight.

Resolved, that the order of the Fire Commissioner, No. 7456-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* permitting the louvre ventilation as proposed in lieu of a skylight, *on condition* that the 6-inch cast iron flue shown, shall be maintained with proper firespark screening installed therein; that a similar screen shall be installed on the inside of the door louvre and that storage of paint materials shall not exceed the amount proposed.

619-38-A.

APPLICANT—Ervin Palmer, for Jean-Lu Holding Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—134 West 74th street, south side, 340 ft. west of Columbus avenue (Block No. 1145, Lot No. 47), Borough of Manhattan.
APPEARANCES—
For Applicant: Ervin Palmer.
For Administration: Fred Dahlem, Department of Housing and Buildings.
ACTION OF BOARD—Appeal Denied.
THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0
THE RESOLUTION—

(619-38-A)

WHEREAS, Ervin Palmer, for Jean-Lu Holding Corporation, owner, filed July 12, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises 134 West 74th street, south side, 340 ft. west of Columbus avenue (Block No. 1145, Lot No. 47), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated July 7, 1938, re. Alt. Applic. No. 1655-1938, reads:

"18. Cooking facilities in apartments as shown on plans with water closets in same apartments classifies building as an "A" converted Multiple Dwelling, which is contrary to Sect. 8, Multiple Dwelling Law, which allows only one "A" apartment in a class "B" Multiple Dwelling."

and

WHEREAS, the building is four stories and basement, 55 ft. in height, 20 ft. by 96 ft. in area at the first floor and 20 ft. by 79 ft. in area above, of non-fireproof construction, equipped with a sprinkler system, located in a residence use "B" area district, erected in 1889, occupied as a one family dwelling; it is proposed to convert the building so that the occupancy will be: Cellar—storage and boiler room; basement—owner's apartment; 1st to 4th floors inclusive—Class "B" multiple dwelling; and

WHEREAS, it is intended that some rooms will be equipped with private baths and private kitchenettes; and

WHEREAS, the applicant contends that the Multiple Dwelling Law places no prohibition on cooking spaces in either class "A" or class "B" Multiple Dwellings; that on the contrary, it states in article 6, section 76: "In every converted dwelling, whether class "A" or class "B", if space exists or is provided for cooking, such space shall comply with the provisions of section thirty-three of this chapter"; and

WHEREAS, in the opinion of the Board, the building, as

it is proposed to be altered, should be classified as a Class "A" Multiple Dwelling.

Resolved, that the decision of the Borough Superintendent, acting on Alt. App. No. 1655-38; be and it hereby is *denied.* is *affirmed* and that the appeal be and it hereby is *denied.*

VARIATIONS OF LABOR LAW

496-38-S.

APPLICANT—The Salvation Army, lessee.

SUBJECT—Variation of the labor law as cited in an order of the acting Borough superintendent of buildings.

PREMISES AFFECTED—250 Myrtle avenue, south side, 90 ft. east of Ashland place, 99-113 Ashland place and 47-57 Bolivar street, northeast corner (Block No. 2068, Lot Nos. 1, 26 and 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to July 20th, 1938, at 2 P. M. on telephone request of applicant's representative.

562-38-S.

APPLICANT—William Higginson and Son for R. H. Comey Company, owner.

SUBJECT—Variation of Labor Law as cited in a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—62-68 18th street, south side, 325 ft. west of Third avenue (Block No. 632, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to September 13, 1938, at 2 P M., on written request of applicant.

435-38-S.

APPLICANT—990 Myrtle Avenue Realty, Inc., owner.

SUBJECT—Variation of the labor law as cited in an order of the commissioner of buildings and a decision of the fire commissioner.

PREMISES AFFECTED—988-990 Myrtle avenue, south side, 250 ft. west of Sumner avenue (Block No. 1757, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Zeiger.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(435-38-S)

WHEREAS, 990 Myrtle Avenue Realty, Inc., owner, filed on May 27, 1938, an appeal for a variation of the Labor Law as cited in an order of the Commissioner of Buildings and a decision of the Fire Commissioner, affecting premises 988-990 Myrtle avenue, south side, 250 ft. west of Sumner avenue (Block No. 1757, Lot. No. 25), Borough of Brooklyn; and

WHEREAS, order No. 19571-LD issued by the Commissioner of Buildings, December 7, 1937, reads:

"An inspection of premises 988-990 Myrtle avenue, Borough of Brooklyn, shows that the following must be done to comply with Section 272 of the Labor Law:

1. Arrange bars on windows on East, South and West sides of the 1st story so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress."

and

WHEREAS, said order was repeated in a decision of the Fire Department, dated May 10, 1938; and

WHEREAS, the building is six stories (66 ft.) in height, 50 ft. by 90 ft. in area at 1st story and 40 ft. by 90 ft. in area above, of non-fireproof construction; erected prior to 1905 and occupied: 1st story—laundry supplies—7 persons; 2nd story to 6th story—manufacturing, not more than 65 persons on any story; equipped with a sprinkler system and an interior fire alarm system, one interior stairs 3 ft. 4 in. wide of wood construction, extending from 1st story to top story, enclosed in wood partitions covered with sheet metal, with metal doors at openings; two fire escapes, with fireproof windows along the course thereof; there are nine windows on the first story, protected with fixed iron bars, six on the rear wall and three on the east wall; and

WHEREAS, applicant contends that there are two means of egress from the first story; that both stores on the 1st floor are occupied by the same tenant; that the barred windows are 3 ft. wide by 8 ft. high and are approximately 3 feet above grade; that all of the windows are wood sash, glazed with plain glass, except two windows on the rear on the course of the fire escape, which are kalamein frames, glazed with wire glass; that it is proposed to comply with the order, so far as it affects three of the windows; that such compliance will afford adequate and sufficient means of egress.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, and that the application be and it hereby is *granted, modifying* the order of the Commissioner of Buildings, No. 19571-LD, permitting the rear windows to be barred, *except* that at least one window on the first story, opening into the rear yard, shall be so arranged that bars can be readily removed for exit or access to the building by the Fire Department at all times.

595-38-S.

APPLICANT—Francis T. Christy, for Rockefeller Plaza, Inc., owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—27-39 West 50th street, north side, 315 ft. west of Fifth avenue and 28-42 West 51st street (Block No. 1266, Lot No. 34). Borough of Manhattan.

APPEARANCES—

For Applicant: Francis T. Christy and F. C. Genz.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(595-38-S)

WHEREAS, Francis T. Christy, for Rockefeller Plaza, Inc., owner, filed on July 7, 1938, an application for variation of the Labor Law, as cited in a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 27-39 West 50th street, north side, 315 ft. west of Fifth avenue and 28-42 West 51st street (Block No. 1266, Lot No. 34), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent on N.B. Application 14-38, dated July 6, 1938, reads:

"15—Proposed use of northwest corner of 2nd story for repairing cash registers and similar appliances constitutes factory work. Sec. 2 subd. 9 of Chap. 31 of the Consolidated Laws. As the number of people employed at factory work exceeds five, all requirements of the Labor Law must be complied with. Reconsideration is denied."

and

WHEREAS, the proposed building will be 15 stories (195 ft. 7½ in.) in height, 187 ft. 6 in. by 200 ft. 9¼ in. in area at 1st story and 171 ft. by 163 ft. 9¼ in. in area at typical floor level, of fireproof construction; to be occupied: 1st floor—motion picture theatre and stores, 500 persons; 2nd floor—offices, showrooms and incidental adjustment and repairing of cash registers and accounting machines; 3rd to 12th floors, inclusive—offices and showrooms, 180 persons per floor; 13th to 15th floors, inclusive—offices and showrooms, 100 persons per floor. The building will be equipped with two interior fireproof stairs and one fire escape and will be sprinklered in that portion of the 2nd story to be used for repair and adjustment of cash registers and accounting machines; and

WHEREAS, the applicant contends that portions of the sub-basement and first floor and the entire second floor have been leased to National Cash Register Company, for executive and sales offices and showrooms; that as an incident to its business and in order to accommodate its customers, the tenant desires to maintain in its premises on the second floor, a small space where replacement of parts and minor adjustments and repairs can be made to the cash registers and accounting machines sold by it; that the space in question will comprise about 4500 sq. ft. out of a total area of 266,000 sq. ft. in the entire building; that it will be located in the northwest corner of the second floor and will be immediately adjacent to the westerly stairs which will have a width of five feet 6 inches and which will exit directly to the street through a fireproof passage having a capacity of 280 people; that the interior walls of the space in question will be six-inch terra cotta, plastered on both sides; that the space will be sprinklered. No manufacturing will be done and nothing will be made in the space and no machinery will be located therein, except a small bench lathe, a small bench drill machine and a small bench polishing machine, each powered by a ¼ h.p. motor; that the space will be fitted with 45 work benches, although a maximum of sixty men may be employed; that no combustible material or equipment will be kept in the space.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, as cited in the decision of the Borough Superintendent in acting on N.B. Application 14-38 and that the application be and it hereby is *granted,* applying only to the space at the northwest corner of the second floor of the building, as indicated on plans filed with this application, *on condition* that this portion of the building shall comply with the requirements of the Labor Law as to exits and that the space where proposed manufacturing is carried on, shall be sprinklered in accordance with the requirements of the Sprinkler Rules of the Board of Standards and Appeals; that in view of the restricted amount of space and the installation of the proposed sprinkler system, the requirements for fire alarm and fire drill may be waived; that the number of persons employed at manufacturing in this space, shall at no time exceed 25; and waiving the requirements of the Labor Law as to fireproofing steel, provided the fireproofing throughout on beams shall be not less than 1½ in. and on columns and girders, not less than 2 in.; that the requirements of the Labor Law need not be complied with as to exterior street windows provided the frames and sash are of steel glazed with plate glass; that the requirements of the Labor Law shall not apply to other parts of the building, other than the part under appeal, unless other parts of the building are used for factory purposes; and that the requirements of the Building Zone Resolution as to the amount of space permitted for manufacturing occupancy shall not be exceeded.

74-38-S.

APPLICANT—William H. Reid, owner.

SUBJECT—Application for consideration—reopening and amendment—re Variation of the labor law as cited in decision of the Acting Borough Superintendent.

PREMISES AFFECTED—383-393 Pearl street and 19-23 Willoughby street, northeast corner (Block No. 146, Lot Nos. 1 and 2), Borough of Brooklyn.

APPEARANCES—

For Applicant: Daniel J. D. McNamara.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(74-38-S)

WHEREAS, Lama and Proskauer, for J. W. and W. H. Reid, Inc., owner, filed on February 5, 1938, an application for a variation of the labor law as cited in a decision of the Acting Borough Superintendent Department of Housing and Buildings (Brooklyn), affecting premises 383-393 Pearl street and 19-23 Willoughby street, northeast corner (fifth floor), (Block No. 146, Lot Nos. 1 and 2), Borough of Brooklyn; and

WHEREAS, the decision of the Acting Borough Superintendent on App. No. 1405-38, dated February 4, 1938, reads as follows:

> "Proposed occupancy of part of 5th floor of present office building for use as a dental laboratory constitutes a factory use and as such is contrary to Sec. 270, Par. 1 of the labor law, which requires a factory building over four stories in height to be of fireproof construction."

and

WHEREAS, the building in question is 5 stories (63 ft. 6 in.) in height, 48 ft. by 100 ft. in area, of non-fireproof construction; erected in 1922 and 1928; located in a business use district and occupied since September, 1937, as follows: Cellar—Ordinary use, no persons; 1st floor—stores and storage, 80 persons; 2nd to 4th stories, inclusive—offices, 80 persons per story; 5th floor—dental laboratory, 50 persons. Certificate of Occupancy No. 57633 was issued September 5, 1929, for the following use: Cellar—storage and toilets, no persons; 1st floor—stores and students' lounge, 80 persons; 2nd floor—lecture hall and classrooms, 80 persons; 3rd and 4th floors—classrooms, 80 persons per story; 5th floor—offices and locker room, 80 persons; with the following floor loads: 1st floor—120 lbs.; 2nd, 3rd and 4th floors—75 lbs. each; 5th floor—60 lbs.; and

WHEREAS, it is requested that a variation of the labor law be granted so as to permit the occupancy of the 5th floor for light manufacturing (Dental Laboratory); and

WHEREAS, applicant contends that an alteration application upon which the proposed occupancy was specified was approved by the building department and permit No. 13384-1937 was issued; an amendment to said permit was filed for the installation of additional plumbing equipment and objection was given under section 72 of the building code, which objection was the subject of application No. 19-38-A before this board and withdrawn on January 25, 1938; after withdrawal of Cal. No. 19-38-A the said plumbing amendment was withdrawn from the building department and an application was made for a certificate of occupancy so as to permit the occupancy of the fifth floor as proposed; that the decision appealed from was rendered on said application for certificate of occupancy; that this building was erected in two parts; the north wing was erected in 1922 for a storage warehouse and the south wing was erected in 1929 for stores and office building; from 1929 until September, 1937, the Board of Higher Education used the building for the Brooklyn College of the City of New York; this was done under Permit No. 5523-1929, for which Certificate No. 57633 was issued; that at the present time there are two (2) fireproof stairs and one elevator all leading to a fireproof entrance hall which leads directly to the street; that in view of Permit No. 13384, which was

issued, the tenant leased the 5th floor for a dental laboratory; that the property is assessed at $300,000 and there is a first mortgage of $150,000 held by the Brooklyn Savings Bank; and

WHEREAS, this application was granted by the Board, February 8, 1938, on certain conditions and the owner requested an amendment of the resolution as to the occupancy.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the application be and it hereby is *granted*, modifying the decision of the Acting Borough Superintendent of Buildings, in acting on Applic. No. 1405-38 and permitting the 5th story of this building to be used as a dental laboratory *on condition* that no part of the balance of the building shall be used for factory purposes; that the exits shall be maintained, as shown, with fireproof enclosure and fireproof doors, with doors on the 5th story opening in the direction of exit; that this permission for factory purposes as to the 5th floor is granted only so long as the building is used as herein described, as a dental laboratory; and that the total occupancy of the fifth floor at no time shall exceed *65* persons.

APPLIANCE SUBMITTED FOR APPROVAL

591-29-SA.

APPLICANT—Kresky Manufacturing Company, owner.

SUBJECT—Application for reopening—amendment re change of name—Kres-Kno Oil Burner, Model MD, to Kresky Oil Burner.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and referred to Engineer of the Board for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

Adjourned, 6: P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

SPECIAL MEETING

WEDNESDAY MORNING, JULY 20, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan.

BUILDING ZONE CASES

1087-24-BZ.

APPLICANT—Power and Hopkins for Lerson Realty Corporation, owner.

SUBJECT—Application reopened April 26, 1938 (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution to permit in a business use district the operation of a motor vehicle repair shop in an existing garage for more than five (5) motor vehicles (previously granted by the board).

PREMISES AFFECTED—1680 Jerome avenue, east side, 50 ft. south of Clifford place (Block No. 2848, Lot No. 12), Borough of The Bronx.

APPEARANCES—

For Applicant: Walter J. Hopkins.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(1087-24-BZ)

WHEREAS, this application, affecting premises 1680 Jerome avenue east side 50 ft. south of Clifford place (Block No. 2848, Lot No. 21), Borough of The Bronx, to permit in a business use district the erection and maintenance of a garage for the storage of more than five motor vehicles, was granted by the Board, December 23, 1924, on certain conditions and owner requested a reopening of the case and an amendment of the resolution, to permit the operation of a motor vehicle repair shop; and

WHEREAS, this application was reopened by vote of the Board April 26, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jerome avenue is in a business use district; that Townsend avenue is in a residence and business use district; that Clifford place is in a residence and business use district; and that East 174th street is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated June 21, 1938, re. N.B. Plan No. 2312-24, reads:

> "Supplementing my letter of April 21, 1938, relative to the issuance of an amended certificate of occupancy for the building located at above premises, to be occupied as a public garage in the basement and a motor vehicle repair shop and garage on the 1st floor, is hereby denied as the occupancy of this building as a motor vehicle repair shop is not permitted under Resolution 1087-24-BZ of the Board of Standards and Appeals, which concerns these premises."

and

WHEREAS, the building is of non-fireproof construction two (2) stories, in height, with a frontage of 90 feet and a depth of 100 feet, and occupied as a garage for more than five (5) motor vehicles; it is proposed to occupy the building as a garage on the first story and garage and motor vehicle repair shop on the 2nd story; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing, so as to be informed of the conditions.

Resolved, that the resolution adopted by the Board on December 23, 1924, be and it hereby is *amended*, so that as amended it shall read:

> *"Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted, on condition* that the building shall be restricted to a two story structure, above sidewalk grade; that a ten foot rear yard shall be provided and maintained at the 2nd story floor line; that any skylights installed over same, shall be glazed with wire glass in steel frames, equipped with wire guards above; that any windows in the rear

wall above 1st story, shall be equipped with fixed steel frames, glazed with translucent wire glass, with not more than one ventilator in each opening; that the rear wall, first story and gable wall throughout, shall be unpierced for their entire height and length; that the front elevation shall be finished in face brick, panel design; that any gasoline storage equipment installed, shall be located at the extreme front of the building.

Resolved, further, that a portion of the second floor may be used for minor repairs on motor vehicles, on condition that the work is carried on mainly with hand tools and with no motor driven tools requiring motors greater than ½ h.p. each; that there shall be no welding equipment used."

682-26-BZ.

APPLICANT—William I. Hohauser for William Hagedorn, owner.

SUBJECT—Application reopened March 15, 1938 (re order of the Fire Commissioner) under section 21 of the building zone resolution, to permit in a business use district the maintenance of additional gasoline dispenser equipment in a garage for more than five (5) motor vehicles previously granted by the board; the resolution stipulates that any gasoline equipment installed shall be located at the extreme southerly end of these premises.

PREMISES AFFECTED—2218 Jerome avenue, southeast corner of East 182nd street (Block No. 3186, Lot No. 17), Borough of The Bronx.

APPEARANCES—

For Applicant: William I. Hohauser.

For Opposition: John M. Lee and Moe D. Fishman.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(682-26-BZ)

WHEREAS, this application, affecting premises 2218 Jerome avenue, southeast corner of East 182d street (Block No. 3186, Lot No. 17), Borough of The Bronx, to permit in a business use district the erection and maintenance of a garage for more than five motor vehicles was granted by the board May 8, 1928, on certain conditions, plans approved February 18, 1930; and

WHEREAS, the owner requested a reopening of the case and an amendment of the resolution, to permit additional gasoline equipment and a relocation thereof and a removal of show rooms with increase of garage space; and

WHEREAS, the application was reopened by vote of the Board March 15, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Jerome avenue is in a business use district; that Walton avenue is in a residence use district; that East 182d street is in a business and residence use district; and that Cameron place is in a residence and business use district; and

WHEREAS, the order of the Fire Commissioner, dated February 3, 1938, reads:

"1. Remove gasoline dispensing equipment from the north side of building. Resolution Board of Standards and Appeals, (Cal. No. 682-26-BZ)."

and

WHEREAS, the building is of fireproof construction two (2) stories in height, with a frontage of 148 ft. on Jerome avenue and 100 ft. on East 182d street, to be occupied as a garage for more than five motor vehicles, with a gasoline dispensing equipment; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing, so as to be informed of the conditions.

Resolved, that the resolution adpoted by the Board on May 8, 1928, as amended by resolution adopted on February 18, 1930, approving plans, be and it hereby is *amended,* so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that the building shall be constructed fireproof throughout and shall not exceed a height of two stories above Jerome avenue grade; that the rear easterly wall shall be unpierced throughout its entire height and length; that there shall be no vehicular entrance of any nature or description on texture and general design of the elevation on 182d street front shall be restricted to window, sashes, subdivided in lights not more than 8 in. by 12 in. in area; that there shall be no signs or advertising of any nature or description erected or permitted on the 182d street front; that the exterior of the street walls on 182d street and Jerome avenue shall be finished with face brick and natural stone trimmings, of attractive architectural design; that the color texture and general design of the elevation on the 182d street shall conform substantially with that of the adjoining apartment house; that the first story street front, other than for the entrance to the garage area of the premises to the rear, shall for a depth of not less than 20 ft. be developed and maintained for store or showroom purposes; that there shall be no portable gasoline tanks maintained or operated on these premises; no roof signs shall be erected; that any gasoline equipment installed shall be located at the extreme southerly end of these premises; that any ascending ramp from Jerome avenue front shall set back from the building line not less than 10 ft.; *that in the event the owner desires to remove the partitions within the garage along the Jerome avenue front, forming salesrooms, these partitions may be removed and the space may be used as a part of the garage for the storage of motor vehicles; that two additional gasoline pumps may be erected toward the northerly entrance, as indicated on revised plans, marked "received April* 21, 1938", *on condition that the existing tank storage, consisting of two* 550 *gallon tanks shall not be increased; that the existing opening on the southerly ramp wall, between the* 1st *story and the ramp, shall be bricked up with masonry equivalent to the enclosing wall; that any signs on the building in addition to the signs permitted in the resolution of May* 8, 1928 *shall be removed and no roof signs shall be erected and that any work involved, shall be completed within three months from the date of this amended resolution."*

426-37-BZ.

APPLICANT—George Edward Beatty, for St. Francis de Sales Church, owner.

SUBJECT—Application reopened June 28, 1938 (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in an "F" area district the extension of an existing school building in excess of the area permitted under the building zone resolution (part of requested extension previously granted by the board).

PREMISES AFFECTED—129-02 to 129-16 Rockaway Beach boulevard and 201-235 Beach 129th street, northwest corner and 202-216 Beach 130th street (Block No. 727, Lot Nos. 22, 26, 28, 41 and 47), Belle Harbor, Borough of Queens.

APPEARANCES—

For Applicant: George E. Beatty.
For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(426-37-BZ)

WHEREAS, this application, to permit in an "F" area district the extension of an existing school building in excess of the area permitted under the building zone resolution, affecting premises: 129-02 to 129-16 Rockaway Beach boulevard and 201-235 Beach 129th street, northwest corner and 206-216 Beach 130th street (Block No. 727, Lot Nos. 22, 26, 28, 41 and 47), Belle Harbor, Borough of Queens, was granted by the Board October 5, 1937, on certain conditions and applicant requested a reopening of the case and an amendment of the resolution to provide for a larger area to be covered by the proposed building; and

WHEREAS, this application was reopened by vote of the Board June 28, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the building zone resolution show that Rockaway Beach boulevard is in a residence use and "F" area district; that Beach 129th street is in a residence use and also "F" and "E" area district; that Beach 130th street is in a residence use and "F" area district and that Newport avenue is in a residence use and also "F" and "E" area district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated May 20, 1938, re. Alt. Applic. No. 5115 of 1937, reads:

"1. From plot plan:

The proposed extension is contrary to the provisions of the Zone Law, in that a portion of the building is set back less than 15 ft. from the front lot line of Beach 129th street.

Rear yard not provided as per Section 16-B, Article 3, of the Zone Law.

Building at grade occupies an area of 24,591 square feet. (This includes a new addition of 7,254 square feet.)

Area as permitted by Article 3, Section 16-D is 20,315 square feet at grade, and at a level 18 ft. above grade, 13,825 square feet."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 200.6 ft. on Rockaway Beach boulevard, 173 ft. on Beach 130th street and 357 ft. on Beach 129th street—upon which are erected a church, convent, rectory and 2 story brick school. It is proposed to extend the 2 story brick school, which is 82 ft. by 39 ft. in area, by the addition of a 3 story brick extension (to the north) 117 ft. by 60 ft. in area. The South vestibule of the proposed extension is located 9 ft. 7 in. back of the building line instead of the required 15 ft. The proposed rear yard has a depth of 18 ft. 11 in. instead of the required 30 ft. depth. The proposed plot coverage at grade level is 24,591 square feet; the allowable coverage at grade level is approxmately 20,315 square feet—an excess of 4.276 square feet. The proposed plot coverage at 18 ft. level is 24,591 square feet; the allowable plot coverage at 18 ft. level is 13,825 square feet an excess of 10,766 feet; and

WHEREAS, the Board deemed that the applicant had substantiated his basis of appeal under section 21 of the building zone resolution and was entitled to relief.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on October 5, 1937, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the Building Zone Resolution and that the application be and it is hereby *granted,* under section 21, *on condition* that the proposed school building also occupying a portion of Lot No. 22, Block No. 727 and the extension of the existing school building, shall not exceed the area and height, as indicated on revised plans marked 'Received July 7, 1938'; that in all other respects the requirements of the Zoning Law shall be complied with; and that all permits shall be obtained and all work completed within one year from the date of this action."

597-37-BZ.

APPLICANT—Herman Kron for Bowery Savings Bank, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7c and 7h of the building zone resolution, to permit for a temporary period of not more than two (2) years, partly in an unrestricted use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles; also plot is located on a street between two intersecting streets, in which portion there exists a public school.

PREMISES AFFECTED—339-349 East 46th street, north side, 80 ft. west of First avenue and 332-342 East 47th street (Block No. 1339, Lot Nos. 19 to 22¼ and 30½ to 34 inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Daniel Adelman and Herman Kron.
For Opposition: William E. Frost, Stanley M. Rabadan, Morton Cohan, Sol A. Herzog, Edwin F. Valentine, Leo Goldman and Daniel Levy.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Absent	0

THE RESOLUTION—

(597-37-BZ)

WHEREAS, Herman Kron, for Bowery Savings Bank, owner, filed December 15, 1937, an application under the building zone resolution to permit, for a temporary period of not more than two (2) years, partly in an unrestricted use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles; also, plot is located on a street between two (2) intersecting streets, in which portion there exists a public school; premises: 339-349 East 46th street, north side, 80 ft. west of First avenue and 332-342 East 47th street (Block No. 1339, Lot Nos. 19 to 22¼ and 30½ to 34 inclusive), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 46th street is in an unrestricted and business use district; that East 47th street is in an unrestricted and business use district; that First avenue is in an unrestricted and business use district; and that Second avenue is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated November 16, 1937, reads:

"Your application for a certificate of occupancy for the above premises for use of same as gasoline service station in connection with automobile storage and parking space has been denied as Zone Violation 148-37 is pending on the north portion of this lot as a parochial school is situated in the same block."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 120 ft. on East 46th street, 120 ft. on East 47th street and a depth of 200 ft. 10 in. An area (having a frontage of 20 ft. on East 47th street) at the northeast section of the plot is located in a business use district—the remainder of the plot is located in an unrestricted use district. There is a gasoline service station located on the East 46th street front of the premises. It is proposed to occupy the remainder of the premises for parking and storage of more than 5 motor vehicles; and

WHEREAS, there is a duly organized school owned and operated by a religious organization on East 47th street, between the same intersecting streets as the proposed parking space; and

WHEREAS, the board deemed that there was no basis for the use of its discretion under the provisions of section 7, subdivisions h and c, and that under the provisions of section 21, the board is precluded from acting favorably on this application.

Resolved, that the decision of the commissioner of buildings be and it hereby is *affirmed,* and that the application be and it hereby is *denied.*

366-38-BZ.

APPLICANT—Edwin W. Kleinert, for John F. Trommer, Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7a of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, the alteration and extension of an existing brewery building.

PREMISES AFFECTED—1656-1672 Bushwick avenue, south side, 236 ft. east of Conway street (Block No. 3476, part of Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(366-38-BZ)

WHEREAS, Edwin W. Kleinert, for John F. Trommer, Inc., owner, filed May 11, 1938, an application under the building zone resolution to permit partly in a business use and partly in an unrestricted use district, the alteration and extension of an existing brewery building; premises: 1656-1672 Bushwick avenue, south side, 236 ft. east of Conway street (Block No. 3476, part of Lot No. 16), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bushwick avenue is in a business and residence use district; that Conway street is in a business use district; that Broadway is in a business use district; and that the B.M.T. Railroad Storage Yards in the rear, are in an unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated April 18, 1938, re. Applic. No. 4899-38, reads:

"1. Enlarging building for brewery use in a business zone is contrary to Article 2, Section 4, subdivision a(6), of the Building Zone Resolution."

and

WHEREAS, the premises consist of part of a larger parcel of ground having a frontage of 129 ft. 2 in. on Bushwick avenue and a maximum depth of 147 ft. 4 in. On the southerly and easterly portions of the plot there is located a one-story bottling house; it is proposed to demolish the frame buildings now on the site and to erect thereon a 2-story fireproof extension to the existing one-story fireproof bottling house, having a frontage of 81 ft. 4 in. and a depth of 147.4 ft. along the west building line. The south portion of the plot in question extends into the unrestricted use district for a distance of 47 ft.—the remainder of the plot is in a business use district; and

WHEREAS, the plot and surrounding area were inspected by a Committee of the Board prior to hearing; and

WHEREAS, the Board deemed that the provisions of Section 7, subdivision A of the Building Zone Resolution, under which this application was made, empowered the Board to exercise its discretion and to grant this application under such conditions that would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted* under Section 7-A, to permit the construction and erection of a building as indicated on plans filed with this application for case and bottle storage, *on condition* that the building shall be constructed of fireproof construction and shall comply in all other respects with the code requirements and all other laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work shall be completed within one year from the date of this action.

367-38-BZ.

APPLICANT—Edwin W. Kleinert, for John F. Trommer, Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7a of the building zone resolution, to permit partly in a business use district, the alteration and conversion of occupancy of a restaurant, dance hall and keg storage room (used in conjunction with a brewery) to an office, wash house and filling room building to be used in conjunction with the existing brewery.

PREMISES AFFECTED—88-98 Conway street, east side, 98 ft. 8 in. south of Bushwick avenue (Block No. 3476, part of Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(367-38-BZ)

WHEREAS, Edwin W. Kleinert, for John F. Trommer, Inc., owner, filed May 11, 1938, an application under the building zone resolution to permit in a business use district, the alteration and conversion of occupancy of a restaurant, dance hall and keg storage room (used in conjunction with a brewery) to an office, wash house and filling room, building to be used in conjunction with the existing brewery; Premises: 88-98 Conway street, east side, 98 ft. 8 in. south of Bushwick avenue (Block No. 3476, part of Lot No. 16), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bushwick avenue is in a business and residence use district; that Conway street is

in a business use district; that Broadway is in a business use district; and that the B.M.T. Railroad Storage Yards in the rear, are in an unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated April 18, 1938, re. Applic. No. 4900-1938, reads:

"1. Enlarging building for brewery use in a business zone is contrary to Article 2, Section 4, subdivision a(6), of the Building Zone Resolution."

and

WHEREAS, the premises, part of a larger parcel of ground, consist of a plot of ground having a frontage of 105 ft. 4 in. on Conway street and a maximum depth of 125 ft. On this plot there is located a one-story non-fireproof building occupied as a dance hall and restaurant; at the rear of this building there is a one-story brick building, used for keg storage, which is to be demolished and replaced by a one-story brick cooperage shop. The dance hall and restaurant building will be altered by the erection of a partition wall, providing a 2nd story on the north section of the building, to be used for offices; the rest of the building to be occupied as a wash house and "racking" (or filling) room in the basement; and

WHEREAS, the plot and surrounding area were inspected by a Committee of the Board prior to hearing; and

WHEREAS, the Board deemed that the provisions of Section 7, subdivision A of the Building Zone Resolution, under which this application was made, empowered the Board to exercise its discretion and to grant this application under such conditions that would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted,* under Section 7-A, to permit the reconstruction and construction of the buildings herein proposed for office, keg washing, racking and cooperage, *on condition* that all new construction shall be of fireproof materials and that in all other respects the buildings shall comply with all laws, rules and regulations applicable thereto as to construction and occupancy; and that all permits shall be obtained and all work shall be completed within one year from the date of this action.

368-38-BZ.

APPLICANT—Edwin W. Kleinert, for John F. Trommer, Inc., lessee, and New York Rapid Transit Corporation, owner, of premises 66-70 Conway street and John F. Trommer, Inc., owner of premises 72-86 Conway street, Borough of Brooklyn.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles and a motor vehicle repair shop—to be operated in conjunction with the brewery business on the site.

PREMISES AFFECTED—66-86 Conway street, east side, 204 ft. south of Bushwick avenue (Block No. 3476, part of Lot Nos. 16 and 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(368-38-BZ)

WHEREAS, Edwin W. Kleinert, for John F. Trommer, Inc., lessee and owner, and New York Rapid Transit Corporation, owner, filed May 11, 1938, an application under the building zone resolution to permit in a business use district, the erection and maintenance of a garage for more than five (5) motor vehicles and a motor vehicle repair shop, to be operated in conjunction with the brewery business on the site; Premises: 66-86 Conway street, east side, 204 ft. south of Bushwick avenue (Block No. 3576, part of Lot Nos. 16 and 10), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bushwick avenue is in a business and residence use district; that Conway street is in a business use district; that Broadway is in a business use district; and that the B. M. T. Railroad Storage Yards in the rear, are in an unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated April 18, 1938, re. Applic. No. 4901-38, reads:

"Repair shop and garage for more than five (5) motor vehicles in a business zone is contrary to Article 2, Section 4-a of the Building Zone Resolution."

and

WHEREAS, the premises, part of a larger parcel of ground, consist of an irregularly shaped plot of ground having a frontage of 173 ft. 4 in. on Conway street and a maximum depth of 117 ft. The one-story buildings now located upon the plot and used as a cooper shop, repair shop, machine shop, etc., will be demolished. It is proposed to erect upon the plot a one-story garage for more than 5 motor vehicles and motor vehicle repair shop. Proposed building has a frontage of 173 ft. 4 in. on Conway street and a maximum depth of approximately 117 ft. —irregular in area; and

WHEREAS, the plot and surrounding area were inspected by a Committee of the Board prior to hearing; and

WHEREAS, the Board deemed that the provisions of Section 7, subdivision A of the Building Zone Resolution, under which this application was made, empowered the Board to exercise its discretion and to grant this application under such conditions that would safeguard the character of the more restricted district.

Resolved, that Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted,* under Section 7-A, to permit the construction of a garage, as indicated in plans filed with this application, for the storage of more than five (5) motor vehicles, *on condition* that the building shall be constructed fireproof throughout; that any openings to an adjoining building shall be protected with Underwriters' self-closing, fireproof doors; that the garage shall be restricted to the use of trucks and cars employed in the work of the brewery; that no repairing shall be carried on, except the necessary conditioning of the motor vehicles used by the brewery; that such repairs shall be restricted to those of a relatively minor nature; that the space for such repairing shall be restricted to an area not over 1,500 sq. ft., as indicated, toward the east; that the existing canopy between the garage and existing malt and hop storage and boiler room may be permitted to remain or be replaced with new material, provided such material is incombustible throughout; and that all permits shall be obtained and all work shall be completed within one year from the date of this action.

369-38-BZ.

APPLICANT—Edwin W. Kleinert, for John F. Trommer, Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7a of the building zone resolution, to permit in a business use district, the alteration and extension of an existing brewery building.

MINUTES

PREMISES AFFECTED—1630-1654 Bushwick avenue, south side, 150 ft. east of Conway street (in center of plot); (Block No. 3476, part of Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4

Negative 0

Absent 0

THE RESOLUTION—

(369-38-BZ)

WHEREAS, Edwin W. Kleinert, for John F. Trommer, Inc., owner, filed May 11, 1938, an application under the Building Zone Resolution to permit in a business use district, the alteration and extension of an existing brewery building; Premises: 1630-1654 Bushwick avenue, south side, 150 ft. east of Conway street (in center of plot); (Block No. 3476, part of Lot No. 16), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the Building Zone Resolution show that Bushwick avenue is in a business and residence use district; that Conway street is in a business use district; that Broadway is in a business use district; and that the B.M.T. Railroad Storage Yards in the rear, are in an unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated April 18, 1938, re. Applic. No. 4898-1938, reads:

"Enlarging building for brewery use in a business zone is contrary to Article 2, Section 4, subdivision a(6), of the Building Zone Resolution."

and

WHEREAS, the premises, part of a larger parcel of ground, located in the central portion of said large parcel and having a frontage of 49 ft. facing Bushwick avenue. Upon the south portion of this plot there is located a non-fireproof, two-story brick building, now occupied as a "racking" or filling room, 49 ft. by 47 ft., irregular in area. It is proposed to add two (2) stories to this building and to occupy the entire building as a "stock house" containing tanks of beer. This building, as altered, will be fireproof; and

WHEREAS, the plot and surrounding area were inspected by a Committee of the Board prior to hearing; and

WHEREAS, the Board deemed that the provisions of Section 7, subdivision A of the Building Zone Resolution, under which this application was made, empowered the Board to exercise its discretion and to grant this application under such conditions that would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted,* under Section 7-A, to permit the reconstruction and the addition of two stories to the stock-house, as indicated on plans filed with this application, *on condition* that in all other respects all laws, rules and regulations applicable thereto as to construction and occupancy of this building shall be complied with; that the building shall be reconstructed and constructed of fireproof materials throughout; and that all permits shall be obtained and all work shall be completed within one year from the date of this action.

370-38-BZ.

APPLICANT—Edwin W. Kleinert, for John F. Trommer, Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7a of the building zone resolution, to permit in a business use district, the alteration and extension of an existing brewery building.

PREMISES AFFECTED—1630-1654 Bushwick avenue, south side, 100 ft. east of Conway street (in center of plot); (Block No. 3476, part of Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin W. Kleinert.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4

Negative 0

Absent 0

THE RESOLUTION—

(370-38-BZ)

WHEREAS, Edwin W. Kleinert, for John F. Trommer, Inc., owner, filed May 11, 1938, an application under the building zone resolution to permit in a business use district, the alteration and extension of an existing brewery building; Premises: 1630-1654 Bushwick avenue, south side, 100 ft. east of Conway street (in center of plot); Block No. 3476, part of Lot No. 16), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bushwick avenue is in a business and residence use district; that Conway street is in a business use district; that Broadway is in a business use district; and that the B. M. T. Railroad Storage Yards in the rear, are in an unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated April 18, 1938, re. Applic. No. 3211-1938, reads.

"The enlargement of a building devoted to brewing in a business use district is contrary to Article 2, Section 4a (6) of the Building Zone Resolution."

and

WHEREAS, the premises, part of a larger parcel of ground, consist of a plot of ground located on the southerly central portion of the plot. Upon the plot there is located boiler house one clere story (32 ft.) in height and 59 ft. 4 in. by 51 ft. in area. It is proposed to erect upon the roof of the boiler house, an extension 28 ft. by 27 ft. in area and to a height of 32 ft. above the boiler house roof and, also, abutting to the south of this proposed extension, another extension 27 ft. by 32 ft. in area and to a height of 17 ft. above the present boiler room roof. The northerly extension to enclose a large steel tank containing beer in process of brewing; the southerly extension to be used as a work room, accessory to the operation of said large tank; and

WHEREAS, the plot and surrounding area were inspected by a Committee of the Board prior to hearing; and

WHEREAS, the Board deemed that the provisions of Section 7, subdivision A of the Building Zone Resolution, under which this application was made, empowered the Board to exercise its discretion and to grant this application under such conditions that would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does *hereby make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted,* under Section 7-A, to permit the reconstruction and addition to the super-structure of the present boiler house for enclosure of tanks, *on condition* that new construction shall be fireproof throughout, except that the roof may be of

Class 2 fire-protected construction; that in all other respects all laws, rules and regulations applicable to the construction and occupancy of this building shall be complied with; and that all permits shall be obtained and all work shall be completed within one year from the date of this action.

373-38-BZ.

APPLICANT—William F. Regan, for Cities Service Oil Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1401-1409 Far Rockaway boulevard and 1149-1161 Nameoke street, southwest corner (Block No. 38, Lot No. 40), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: William F. Regan and John McKigue.

For Opposition: Morris J. Jaringer, B. A. Chambers, Ethel Kitman, Joseph D. Morris, Philip Whetrs, David Rosenbaum and Francis M. Carmody.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4

Absent 0

THE RESOLUTION—

(373-38-BZ)

WHEREAS, William F. Regan, for Cities Service Oil Company, owner, filed May 16, 1938, an application under the Building Zone Resolution to permit partly in a residence use and partly in a business use district, the erection and maintenance of a gasoline service station; Premises: 1401-1409 Far Rockaway boulevard and 1149-1161 Nameoke street, southwest corner (Block No. 38, Lot No. 40), Far Rockaway, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the Building Zone Resolution show that Far Rockaway boulevard is in a business and unrestricted use district; that Nameoke street is in a residence and business use district and that Bayport place is in a residence, business and unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated June 28, 1938, re. Application No. 3192-38, reads:

"1—The erection of a gasoline service station partly in a residence and partly in a business district is contrary to Article 2, Sections 3 and 4, of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 125 ft. on Far Rockaway boulevard and 176 ft. on Nameoke street. An irregular area at the south end of the plot extends into the residence use district for a distance of approximately 50 ft. The remainder of the plot is in a business use district. It is proposed to demolish the frame structure now on the site and to erect thereon a one story building 70 ft. by 25 ft. in area to be used as office, lubritorium and auto laundry, and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the Board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the Building Zone Resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the Borough Superintendent in acting on Application No. 3192-38, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

512-38-BZ.

APPLICANT—Cross & Brown Company for Lucy A. Duffy, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution to permit, for a temporary period of not more than two (2) years in a retail use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—109-111 West 31st street, north side, 100 ft. west of Sixth avenue (Block No. 807, Lot Nos. 34 and 35), Borough of Manhattan.

APPEARANCES—

For Applicant: Albert J. Courtney and Harold Ray.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4

Negative 0

Absent 0

THE RESOLUTION—

(512-38-BZ)

WHEREAS, Cross & Brown Company, for Lucy A. Duffy, owner, filed June 17, 1938, an application under the building zone resolution to permit, for a temporary period of not more than two (2) years, in a retail use district, the parking and storage of more than five (5) motor vehicles; Premises: 109-111 West 31st street, north side, 100 ft. west of Sixth avenue (Block No. 807, Lots Nos. 34 and 35), Borough of Manhattaan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its special meeting, July 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 31st street is in a retail use district; that West 32d street is in a retail and residence use district; that Sixth avenue is in a retail, residence and unrestricted use district; and that Seventh avenue is in a retail use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated June 17, 1938, reads:

"Answering your letter of June 16, 1938 requesting a further denial for the parking space at the above premises so that the matter may be appealed within thirty (30) days and explaining that the thirty (30) day requirement has expired since our denial of April 1, 1938 you are advised that this department has no authority to extend such time. Therefore, the denial of April 1, 1938 is herewith repeated:

"'Answering your letter of March 24, 1938 requesting reconsideration of our objection to the issuance of a certificate of occupancy on the above premises, we wish to advise you that reconsideration is denied for the reason that the premises is located in a retail district and the parking and storage of more than 5 motor vehicles is prohibited by Article 2, section 4a, subdivision 15 of the Zone Resolution.'"

and

WHEREAS, the premises consist of a plot of ground having a frontage of 41 ft. 8 in. and a depth of 98 ft. 9 in. It is proposed to demolish the building now on the site and to occupy the plot, for a temporary period of not more than two years, for parking and storage of more than 5 motor vehicles; and

WHEREAS, the plot and surrounding area were inspected

by a committee of the board prior to hearing, so as to be informed of the conditions; and

WHEREAS, the Board deemed that this was a proper case to exercise its discretion under Section 7, subdivision H, of the Building Zone Resolution and that the application for a temporary variance for a period of two years, should be granted on certain conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted*, under Section 7, subdivision H, for a period of two (2) years from the date of this action, to permit the premises under appeal to be occupied for parking and storage of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure car type shall be so parked and stored; that any buildings on the premises shall be completely removed and the plot levelled substantially to the grade of West 31st street and surfaced with steam cinders or clean gravel or other suitable clean material, properly rolled and treated with binder to prevent dusting; that there shall be erected on interior lot line, where walls of adjacent buildings do not occur, a substantial woven-wire fence or wall not less than 6 ft. in height; that a substantial woven-wire fence shall be constructed on the street line continuously, except for entrance towards the easterly end not exceeding 15 ft. in width; that there may be a curb cut opposite such entrance of similar width; that any existing curb cut shall be restored, except for the curb cut herein permitted; that there shall be no signs erected on the premises, except there may be a sign erected at the entrance on the fence advertising the parking and storage use; that such sign shall not exceed 15 sq. ft. in area; that proper aisles shall be maintained at all times for easy exit and entrance; that during the term of this variance, the premises shall be used for no other use and that no building shall be erected thereon, except there may be erected a frame building, not over one story in height and not over 150 sq. ft. in area, as an office and shelter for attendant; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that no Certificate of Occupancy shall be issued until the requirements of this Resolution have been complied with; and that all permits shall be obtained and all work shall be completed within three months from the date of this action.

Adjourned, 12:30 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

SPECIAL MEETING

WEDNESDAY AFTERNOON, JULY 20, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan.

BUILDING ZONE CASES

8-34-BZ.

APPLICANT—Walter R. Hart, for Fiske and Queens Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—Northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Walter R. Hart.

ACTION OF BOARD—Application reopened and set for hearing September 13, 1938 at 2 P.M.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0

103-35-BZ.

APPLICANT—Edgar A. Palmieri, for Angelo Dell'Abate and Louis Piccola, owners.

SUBJECT—Application for consideration—reopening and extension of permit—re Application decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—5001-5011 Flatlands avenue and 1869-1875 Utica avenue, northeast corner (Block No. 7798, Lot No. 33), Borough of Brooklyn.

APPEARANCES—
For Applicant: Edgar A. Palmieri.

ACTION OF BOARD—Application reopened and set for hearing September 13, 1938 at 2 P.M.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0

296-33-BZ.

APPLICANT—Staten Island Coach Co., Inc., for Richmond Railways, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles and, also, a motor vehicle repair shop.

PREMISES AFFECTED—92 Brook street, south side, 180 ft. east of Jersey street (Block No. 34, Lot Nos. 12, 45, 52, 1 and 22), Tompkinsville, Borough of Richmond.

APPEARANCES—
For Applicant S. H. Savend.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0

THE RESOLUTION—

(296-33-BZ)

WHEREAS, this application affecting premises 92 Brook street, south side, 180 ft. east of Jersey street (Block No. 34, Lot Nos. 12, 45, 52, 1 and 22), Tompkinsville, Borough of Richmond, was granted by the board November 8, 1933,

on certain conditions, resolution amended October 9, 1934, October 15, 1935 and November 4, 1936, and owner requests a further amendment of the resolution.

Resolved, that the resolution adopted by the board on November 8, 1933, as amended October 9, 1934, October 15, 1935, and November 4, 1936, be and it hereby is *further amended,* so that as amended it will read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that the building shall be erected substantially as indicated on the plans filed with this application as a storage garage for more than five (5) motor busses and for an automobile repair shop; that this building shall be located substantially as indicated on plans filed and of the dimensions indicated thereon and not to exceed one story in height; that the building shall be erected of brick, with roof of incombustible materials, supported on steel trusses; that the interior free standing steel columns supporting the roof shall be fireproofed with at least 1½ inches of cement fireproofing with steel protection to protect same for a height of at least 6 feet above the floor; that there shall be installed in the roof of the garage, and also of the overhaul shop, metal skylights, not less than 8 feet by 8 feet in area or of equivalent area, glazed with thin glass with wire mesh screens above and below; that these skylights shall be well separated, two in the roof over the overhaul shop and four in the main garage portion; that there shall be installed an approved one-source wet sprinkler system in lieu of a standpipe-fireline system, fed from street pressure, and covering the entire area; that the street pressure shall be at least 45 pounds at all times; *that in the event the standpipe line system is continued from the existing buildings to the portion of the new building which has been erected, the requirements for the sprinkler system may be waived, on condition that the standpipe fireline system shall comply with all the requirements of the Fire Commissioner; and on further condition that upon the completion of the building or a substantial part thereof, the entire building will be protected with a wet sprinkler system as required in the resolution;* that there shall be no building erected on the westerly end of the property, which may be required by the City of New York for the extension of Castleton avenue to Brook avenue; that the motor vehicle repair work shall be limited to that portion of the building marked "Over haul Shop"; that the wall separating the overhaul shop from the bus storage shall be at least 8 inches thick, of brick, extending from floor to roof, and unpierced except for two openings shown on the plans, these openings not to exceed 4 feet in width and each opening to be protected with an Underwriters sliding, self-closing, fireproof door on one side and an Underwriters swinging, self-closing fireproof door on the other side; that there shall be no open flame permitted on the property except in the blacksmith and welding shop indicated on the plan and enterable from exterior only; that this building shall be used for no other purpose than for the storage of busses of the Richmond Railways, Inc., or an associated company; that any gasoline stored on the property shall be for the service of these busses and not for public sale; that complete working drawings shall be submitted to the chairman for his approval on behalf of the board before same are filed with the commissioner of buildings; that in the event the owner desired to construct the proposed buildings of the dimensions shown on revised plan marked 'received October 26, 1936', such revision of plans may be permitted on condition that all other requirements as to construction and fire protection shall be complied with; that all permits shall be obtained within six months and all work completed within one year from the date of this action."

43-34-BZ.

APPLICANT—Leonard A. Swarthe, for Francesca Frasca, owner.

SUBJECT—Application for consideration—reopening and amendment—re decision of the Borough Superintendent—re Application (decision of the Commissioner of Buildings), under section 21 of the building zone resolution, to permit in a business district the maintenance of a gasoline service station illegally installed.

PREMISES AFFECTED—6522-6524—13th avenue, northwest corner of 66th street (Block No. 5753, Lot No. 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: Leonard A. Swarthe.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(43-34-BZ)

WHEREAS, Ferdinand Savignano, for Francesco Frasca, owner, filed February 14, 1934, an application under the building zone resolution to permit in a business district the maintenance of a gasoline service station illegally installed; premises: 6522-6524 13th avenue, northwest corner of 66th street (Block No. 5753, Lot No. 46), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board July 9, 1935, on certain conditions and owner requests an amendment of the resolution as to the gasoline tanks.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution of July 9, 1935, only so far as it has reference to the number of gasoline storage tanks, so that as amended the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21 for a period five years from the date of this action, permitting the portion of the property under appeal, consisting of an area with a frontage of 20 ft. on 13th avenue and 43 ft. on 66th street, to be used as a gasoline selling station *on condition* that the entire area except where existing grease pits are located shall be either cement paved or covered with steam cinders; that the existing curb cuts to 13th avenue and 66th street shall not be increased; that there shall be not more than two gasoline pumps erected on the premises near the corner formed by the intersection of 66th street and 13th avenue, *and that not more than a total of two* (2) 550-*gallon tanks for the storage of gasoline shall be installed on the premises;* that there shall be erected on the street building line a reinforced concrete curb not less than one foot in height and one foot in width, extending from the corner formed by the intersection of 13th avenue and 66th street for a distance of not less than 5 ft. northerly and westerly from the intersection for the purpose of preventing automobiles from crossing the corner of the property; that all advertising signs shall be limited to the illuminated globes of the pumps; and that there shall be no portable gasoline tanks used on or from the property."

328-34-BZ.

APPLICANT—S. Sheldon Meyers, for Max Mirowitz, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application granted on con-

dition, under section 21 of the building zone resolution, permitting in a residence use district the change of occupancy of an existing building to a garage for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—1449 Vyse avenue, west side, 100 ft. south of Jennings street (Block No. 2987, Lot No. 33), Borough of The Bronx.

APPEARANCES—
For Applicant S. Sheldon Meyers.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0

THE RESOLUTION—

(328-34-BZ)

WHEREAS, this application affecting premises 1449 Vyse avenue, west side, 100 ft. south of Jennings street (Block No. 2987, Lot No. 33), Borough of The Bronx, was granted by the board October 22, 1935, resolution amended May 5, 1936 and July 7, 1936 and time extended July 9, 1937, and applicant requests a further extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its amended resolution of July 7, 1936, only so far as it has reference to obtaining permits and completion of the work; so that as amended it shall read:

"that all permits required shall be obtained and all work involved completed within one year from the date of this amended resolution."

111-37-BZ.

APPLICANT—Julius H. Zeiser, for 181 Concourse, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a residence use district, the erection and maintenance of a multiple dwelling having stores on the first story.

PREMISES AFFECTED—2151-2161 Grand Concourse and 161-169 East 181st street, northwest corner (Block No. 3162, Lot Nos. 45-50), Borough of The Bronx.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0

THE RESOLUTION—

(111-37-BZ)

WHEREAS, this application, to permit in a residence use district the erection and maintenance of a multiple dwelling, having stores on the first story, was granted by the Board July 7, 1937, on certain conditions, affecting premises 2151-2161 Grand Concourse and 161-169 East 181st street, north west corner (Block No. 3162, Lot Nos. 45-50), Borough of The Bronx; and

WHEREAS, the applicant requests an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 7, 1937, only so far as it has reference to the time within which to obtain permits and complete the work, so that as amended that portion of the resolution shall read:

"That all permits shall be obtained and all work completed within one year from the date of this action."

467-37-BZ.

APPLICANT—H. L. Brandt, for Owen Realty Co., owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the conversion of the occupancy of the first story of an existing building (now occupied in the cellar as a garage) to a motor vehicle repair shop.

PREMISES AFFECTED—5060-5076 Broadway, 501-507 West 215th street, northeast corner, 500 West 216th street and 4036-4050 Tenth avenue (Block No. 2232, Lot No. 18), Borough of Manhattan.

APPEARANCES—
For Applicant: H. L. Brandt.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0

THE RESOLUTION—

(467-37-BZ)

WHEREAS, this application to permit in a business use district the conversion of occupancy of the first story of an existing building, occupied in the cellar as a garage, to a motor vehicle repair shop, was granted by the Board February 8, 1938, on certain conditions affecting premises 5060-5076 Broadway and 501-507 West 215th street, northeast corner, 500 West 216th street and 4036-4050 Tenth avenue (Block No. 2232, Lot No. 18), Borough of Manhattan; and

WHEREAS, the applicant requests an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of February 8, 1938, only so far as it has reference to the time within which to obtain permits and complete the work, so that as amended that portion of the resolution shall read:

"That all permits shall be obtained and all work completed within three months from the date of this action."

598-37-BZ.

APPLICANT—Patrick Quilty, acting chief engineer for Department of Water Supply, Gas and Electricity, City of New York, owner.

SUBJECT—Application for reopening—amendment—re Application (decision of the commissioner of buildings) under section 7d of the building zone resolution, to permit in a residence use district the erection and maintenance of a laboratory building.

PREMISES AFFECTED—349-367 Park place, northeast corner of Underhill avenue (Block No. 1160, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: A. D. Marinelli.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0

MINUTES

THE RESOLUTION—

(598-37-BZ)

WHEREAS, Patrick Quilty, acting chief engineer, for Department of Water Supply, Gas and Electricity, City of New York, owner, filed December 16, 1937, an application under the building zone resolution to permit in a residence use district the erection and maintenance of a laboratory building; premises 349-367 Park place, northeast corner of Underhill avenue (Block No. 1160, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, this application was granted by the Board March 15, 1938, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of March 15, 1938, so that as amended it shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted* under Section 7d, to permit the proposed building, *on condition* that the exterior design of the building shall be substantially in accordance with revised elevation plans submitted to this Board at this hearing; that the building shall be arranged as to the height and area substantially as indicated on plans filed with this appeal; *except that the building may be constructed with a frontage of approximately 54 ft. on Underhill avenue and 92 ft. on Park place, provided the plot be enlarged to such an extent, that the allowable area for coverage as permitted under the Building Zone Resolution shall not be exceeded; that the building shall not encroach upon any yards or courts required under the Building Zone Resolution;* that the building shall be used solely for the departmental needs of the Department of Water Supply, Gas and Electricity, which, however, may include the testing of water from the New York water shed and in connection with other City departments where the testing of water is necessary; that the building shall be located approximately on the center of the plot and shall set back not less than 20 ft. from both street lines; that suitable landscaping shall be maintained at all times to make this building and the plot a suitable development for the residential district; that all permits shall be obtained and all work completed within one year from the date of this action; and that this resolution shall not take effect until thirty days after the date of this action."

463-38-BZ.

APPLICANT—Lama and Proskauer, for Preferred Estates, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district the reconstruction of an existing gasoline service station.

PREMISES AFFECTED—172-02 Hillside avenue, southeast corner of 172nd street (Block No. 9829, Lot No. 37a), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(463-38-BZ)

WHEREAS, Lama and Proskauer, for Preferred Estates, Inc., owner, filed June 7, 1938, an application under the building zone resolution to permit in a business use district the reconstruction of an existing gasoline service station; Premises: 172-02 Hillside avenue, southeast corner of 172nd street (Block No. 9829, Lot No. 37a), Jamaica, Borough of Queens; and

WHEREAS, this application was granted by the Board on July 12, 1938, on certain conditions, and the applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 12, 1938, only so far as it refers to the requirement as to the wall on 172nd street, so that as amended, the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 thereof, to permit the reconstruction and rearrangement of the legally existing gasoline station, substantially as indicated on plans filed with this appeal, *on condition* that there shall be erected on the rear lot line, a masonry wall not less than six (6) feet in height above the general grade of the plot, which is substantially the grade of Hillside avenue; that *a similar* wall shall be continued on 172nd street for a distance of *ten* (10) *feet from the rear lot line; that this wall shall be at least four* (4) *feet in height above the grade of Hillside avenue;* that curb cut entrances to the premises shall not exceed those now existing; that the gasoline pumps shall be not nearer than fifteen (15) feet to either street building line and shall be of the Parkway design with masonry pedestals; that a similar masonry wall shall be erected on the easterly lot line to the street line of Hillside avenue, except that this wall need not be higher than four (4) feet from the street line for a distance of ten feet; that the accessory building shall be constructed of fireproof materials, except that the roof beams and roof boarding, door frames and doors, window frames and sash may be of wood, provided the ceiling is fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals; that the roof shall be surfaced with non-inflammable weather surfacing; that the heater room shall be separated from the balance of the building by fireproof material and enterable only from the exterior of the building; that there shall be no greasing pits installed on the premises outside of the accessory building; that no doors shall be installed on the greasing section of the accessory building, unless the greasing equipment is of the hydraulic type or if of the pit type, that the pit shall be ventilated by means of ducts to and through the roof; all fans are to be of the spark-proof type; that the entire premises where not occupied by the accessory building, shall be cement paved or paved with Colprovia or similar material; that the gasoline tanks shall not exceed those now existing, namely, four 550 gallon tanks; that signs shall be restricted to a permanent sign on the accessory building and to the illuminated globes of the pumps and to a post standard located within the building line near the easterly lot line for the support of a sign advertising only the brand of gasoline on sale; that this sign may be illuminated and extend over the building line for a distance of not more than five feet, excluding all roof signs and temporary signs; that there shall be erected on the street line at the intersection of Hillside avenue and 172nd street, a triangular section of concrete not less than one foot high and not less than five feet along 172nd street and five feet along Hillside avenue; that no portable gasoline pumps shall be used on or from the premises; that there shall be no parking or storage of cars other than those being serviced and no

repairing of cars; that the design of the building shall be substantially as indicated on plans filed with this appeal; that the accessory building shall be arranged for office, lubritorium and laundry; *that in the event the owner desires to place the accessory building so that the rear wall is on the rear lot line, the building may be so placed, provided that any windows opening on the rear lot line shall be fireproof and glazed with wire glass and made unopenable;* and that all permits required shall be obtained and all work involved completed within one year from the date of this action."

AREA FIXED

630-38-BZ.

APPLICANT—Bethlehem Engineering Corporation, for Mutual Life Insurance Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7G of the building zone resolution, to permit partly in a restricted retail and partly in a retail use district, the erection and maintenance of a building to be used as a motion picture theatre, a bus station, and a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—118-134 Park avenue, west side from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Area approved.

THE VOTE TO APPROVE AREA—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(630-38-BZ)

The board was requested to fix an area deemed affected and within which the applicant is to obtain duly acknowledged consents from the property owners, to permit partly in a restricted retail and partly in a retail use district, the erection and maintenance of a building to be used as a motion picture theatre, a bus station, and a garage for more than five (5) motor vehicles, affecting premises: 118-134 Park avenue, west side, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan.

The following area was approved:

Both sides of East 42nd street and also both sides of East 41st street, from a point 400 feet east, to a point 400 feet west of the premises in question; both sides of Park avenue, from the south street line of East 42nd street, to a point 400 feet south of the premises in question and also, both sides of Vanderbilt avenue, from the north street line of East 42nd street to a point 200 feet northerly therefrom.

APPEALS FROM ADMINISTRATIVE ORDERS

356-38-A.

APPLICANT—Nordlinger, Riegelman and Cooper, for Metropolitan Life Insurance Company, owner.

SUBJECT—Appeal from an order of the deputy commissioner, division of housing, department of housing and buildings.

PREMISES AFFECTED—333 West 83rd street and 110-112 Riverside drive, southwest corner (Block No. 1245, Lot Nos. 47, 49, 54 and part of Lot No. 56), Borough of Manhattan.

APPEARANCES—

For Applicant: L. A. Halperin.

For Administration: Insp. Kelly, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn without argument. Applicant not ready to proceed.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

594-38-A.

APPLICANT—Metropolitan Life Insurance Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—324-342 Fourth avenue, west side, from East 24th street to East 25th street, 25-33 East 24th street and 38-60 East 25th street (Block No. 854, Lots 1 to 41 inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Miss Davis.

ACTION OF BOARD—Placed on Reserve Calendar, to be inspected by a Committee of the Board under winter conditions.

631-38-A.

APPLICANT—John F. Meehan, for Sinclair Refining Co., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—6021-6031 Strickland avenue, north side, 1352 ft. 3½ in. west of Mill avenue (Block No. 8470, Lot No. 1059), Borough of Brooklyn.

APPEARANCES—

For Applicant: John F. Meehan and F. Sommer.

ACTION OF BOARD—Laid over to July 22, 1938 at 10 A.M., pending an inspection by a committee of the Board.

639-38-A.

APPLICANT—Isidor Herman, lessee, for John Maus, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—4420-4424 Church avenue, southwest corner of East 45th street (Block No. 4898, Lot Nos. 10-12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney Greenberg.

For Opposition: Leon Schoen.

ACTION OF BOARD—Laid over to September 20, 1938, at 2 P.M.; the plot to be vacated in the meantime.

646-38-A.

APPLICANT—Mayers, Murray and Phillip, for Seaman's Bank for Savings in the City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—226-228 East 76th street, south side, 205 ft. west of Second avenue (Block No. 1430, Lot Nos. 33 and 34), Borough of Manhattan.

APPEARANCES—

For Applicant: A. E. Crane and Robert K. Pusey.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to a date to be set by the board. Applicant to be notified.

279-38-A.

APPLICANT—Croker Fire Prevention Corporation, for Manoil Mfg. Co., Inc., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—346 Carroll street, south side, 72 ft. 4 in. west of Bond street and 37-53 First street (Block No. 451, Lot No. 25), Borough of Brooklyn.
APPEARANCES—
For Applicant: Sidney L. Strauss.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0
THE RESOLUTION—
(279-38-A)

WHEREAS, Croker Fire Prevention Corporation, for Manoil Mfg. Co., Inc., lessee, filed on April 19, 1938, an appeal from an order and decision of the Fire Commissioner affecting Premises: 346 Carroll street, south side, 72 ft. 4 in. west of Bond street, and 37-53 First street (Block No. 451, Lot No. 25), Borough of Brooklyn; and

WHEREAS, the order of the Fire Commissioner No. 73879-LC, dated January 10, 1938, reads:

"4. Discontinue the maintenance of any open flames or sparking device within floor area where spray coating is carried on, or separate said open flames or sparking device by partitions constructed of fireproof or fire-resisting material.—Rule 6.1.8-a, Spray Rules."

and

WHEREAS, said order was repeated in a decision of the Fire Commissioner, dated March 24, 1938; and

WHEREAS, the building is 4 stories and basement (59 ft. 4 in.) in height, 180 ft. by 172 ft. 5 in. in area; of mill construction; equipped with a standpipe and a sprinkler system; located in an unrestricted use district; erected in 1880 and occupied: Cellar—storage, 1 person; 1st story—office, shipping room and storage, 4 persons; 2nd floor—manufacturing paper boxes, 75 persons; 3rd floor—manufacturing metal toys, 100 persons; 4th floor—manufacturing ice cream cones, 12 persons; and

WHEREAS, the applicant contends that the open flames are located approximately 58 ft. from the spray booths and in addition the physical arrangement is such that it is quite impossible for any contact between such open flames and the spray booths; that to comply with the order would be impractical for the proper conduct of the plant and would seriously interfere with efficient operation.

Resolved, that the order of the Fire Commissioner, No. 73879-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Item No. 4, *on condition* that no open flames shall be nearer to the spray booths than 50 ft.; that the sprinkler system shall be maintained; that the requirements of all laws, rules and regulations applicable to the construction and occupancy of this building shall be complied with, as granted by the Board under Cal. No. 27-38-A; and that all other items of Order No. 73879-LC shall be complied with.

343-38-A.
APPLICANT—Mason & Dixon Lines, lessee.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—167 Perry street, north side, 122 ft. east of West street (Block No. 100, Lot No. 67), Borough of Manhattan.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appeal dismissed for lack of prosecution.
THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0
THE RESOLUTION—
(343-38-A)

WHEREAS, the Mason and Dixon Lines, applicant and lessee, filed on May 4, 1938, an appeal with the Board of Standards and Appeals, relative to an order and a decision of the Fire Commissioner, affecting premises: 167 Perry street, north side, 122 ft. east of West street (Block No. 100. Lot No. 67), Borough of Manhattan; and

WHEREAS, the applicant failed to complete the papers in this appeal, although duly notified to do so.

Resolved, that the appeal be and thereby is *dismissed* for lack of prosecution.

579-38-A.
APPLICANT—Great Lakes Steel Corporation, for Frank Horsch Associates, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—West side of 243rd street, 220 ft. north of Hillside avenue, (Block No. 7910, Lot No. 52), Bellerose, Borough of Queens.
APPEARANCES—
For Applicant: Fred C. Thompson.
For Administration: David Stone, Department of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0
THE RESOLUTION—
(579-38-A)

WHEREAS, Great Lakes Steel Corporation, for Frank Horsch Associates, Inc., owner, filed July 7, 1938, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises west side of 243rd street, 220 ft. north of Hillside avenue, (Block No. 7910, Lot No. 52), Bellerose, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, dated July 6, 1938, re. N.B. 4798-38, reads:

"The use of Stran-Steel floor joists is not permitted because this material has not been approved."

and

WHEREAS, the proposed building will be one and one-half stories (16 ft.) in height, 30 ft. by 24 ft. in area, of frame construction, located in a residence use and "D" area district and occupied as a one-family dwelling; and

WHEREAS, the applicant contends that Stran-Steel joists will be used on the first floor in place of wood joists; that the proposed steel joists are copper bearing steel, are superior to wood and are only manufactured in one grade and quality, completely engineered and tested according to standard engineering formulas; that the joists will be 8 inches in depth of No. 16 and No. 14 gauge, spaced 24 inches on centers and not over 16 feet in length.

Resolved, that the decision of the Borough Superintendent, in acting on N.B. 4798-38 be and it hereby is *modified* as to the requirements of the Building Code, Sec. 8.6.2.6, and that the appeal be and it hereby is *granted, on condition* that the requirements of the Building Code, as to floor load capacity, shall be complied with; that the spaces between the steel framework and the concrete foundation wall, shall be slushed in and a mastic used to protect the steel framework from the action of the weather; that in all other respects the building shall comply with all the requirements of the Building Code and all laws, rules and regulations applicable thereto.

588-38-A.
APPLICANT—Jones and Larson, for Phelps Dodge Refining Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—East side of Clifton street (46th street), 450 ft. south of Creek street (56th drive); (Block Nos. 2553 and 2529, Lot No. 1), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: C. E. Wolfe.
For Administration: David Stone, Department of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0
THE RESOLUTION—

(588-38-A)

WHEREAS, Jones & Larson, for Phelps Dodge Refining Corporation, owner, filed on July 8, 1938, an appeal from a decision of the Borough Superintendent, affecting Premises east side of Clifton street (46th street), 450 ft. south of Creek street (56th drive) (Block Nos. 2553 and 2529, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, dated June 30, 1938, re. App. No. 4486-38, reads:

"1. Proposed construction extends into public highway."

and

WHEREAS, the proposed building will be one story (30 ft.) in height, 136 ft. by 61 ft. in area; occupied for manufacturing and smelting non-ferrous metals; 10 persons; and

WHEREAS, a communication, addressed to the Borough Superintendent, dated July 5th, 1938, signed by the Principal Assistant Engineer, Topographical Bureau, Queens, has been filed with this appeal and reads as follows:

"Forty-sixth (46th) street (Clifton avenue) from 56th drive to Newtown Creek is not legally opened. The Corporation Counsel has never rendered an opinion as to the dedication and there is no contemplated legal opening of this street."

and

WHEREAS, the applicant contends that this is a proposed street, has never been formally dedicated or laid out, and has never been used as a public highway, as shown by the letter from the Topographical Bureau of the City of New York. At the present there are several structures located on the plot that have been in use over twenty years; and

WHEREAS, the Board has power under the general City Law to grant permission for the erection of a building within the bed of a mapped street.

Resolved, that the decision of the Borough Superintendent, in acting on Application No. 4486-38, be and it hereby is *modified,* and that the appeal be and it hereby is *granted, on condition* that the building shall be constructed substantially as shown on the plans filed under Application No. 4486-38, showing a Class 5 type of building with exterior platforms.

623-38-A.
APPLICANT—Shell Union Oil Corporation, owner.
SUBJECT—Appeal from a decision of the fire commissioner re sale, use, transportation and storage of Anti-Freeze (inflammable mixture) "Shell and Everflo" in non-refillable cans in New York City.
APPEARANCES—
For Applicant: John W. J. O'Dea.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0
THE RESOLUTION—

(623-38-A)

WHEREAS, Shell Union Oil Corporation, owner, filed July 14, 1938, an appeal from a decision of the fire commissioner, affecting the storage and sale of "Shell Anti-Freeze and Everflo Anti-Freeze," in round flat top non-refillable cans; and

WHEREAS, the decision of the fire commissioner, dated July 7, 1938, reads:

"We regret to advise that your request for Certificate of Approval for your products known as "SHELL ANTI-FREEZE" and "EVERFLO" must be denied for the reason that Chapter 19 of the Administrative Code prohibits the use of round, flat top non-refillable cans for inflammable mixtures."

and

WHEREAS, the applicant contends that it is proposed to pack the anti-freeze in sealed, round, flat top non-refillable containers without tight fitting top and not to exceed one gallon in capacity; that "SHELL ANTI-FREEZE" and "EVERFLO" are anti-freeze mixtures consisting primarily of denatured alcohol and methanol, with coloring matter and anti-rust compounds added, and are marketed under the trade names of their manufacturer; that each can used for these products will bear as part of the lithographed label a prominent notice, having white letters on a red background reading, "Upon Opening Remove Entire Contents at Once."

Resolved, that the decision of the Fire Commissioner, dated July 7, 1938, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* permitting the transportation, sale, storage and manufacture of anti-freeze (flammable mixture) as described in this appeal, in one gallon cans and one-quart cans without tight-fitting top, *on condition* that there shall appear on each can a permanent notice reading: "Upon Opening Remove Entire Contents at Once"; that such notice shall have white letters on a red background; that the label on the can shall also contain the words: "This container for anti-freeze approved by the Board of Standards and Appeals under Cal. No. 623-38-A"; that this product may be marketed under the trade names "Shell Anti-Freeze and "Everflo" together with the name of the manufacturer or agent.

625-38-A.
APPLICANT—Frank S. Parker, for Amnor Realty Co., Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—84-02 72nd drive, south side of private right of way, 647 ft. 3 in. south and 431.42 ft. west of Cooper avenue and 88th street (Block No. 3837, Lot No. 1 and Block No. 3810, Lot No. 190), Glendale, Borough of Queens.
APPEARANCES—
For Applicant: Frank S. Parker.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0
THE RESOLUTION—

(625-38-A)

WHEREAS, Frank S. Parker, for Amnor Realty Co., Inc., owner, filed July 14, 1938, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises 84-02 72nd drive, south side of private right of way, 647 ft. 3 in. and 431.32 ft. west of Cooper avenue and 88th street (Block No. 3837, Lot No. 1 and Block No. 3810, Lot No. 190), Glendale, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, dated July 7, 1938, re. N.B. 3489-38, reads:

"Permission to omit sprinkler system is denied as area of building exceeds the allowable in non-fireproof construction."

and

WHEREAS, the proposed building will be one-story (19 ft. 8 in.) in height, 108 ft. by 219 ft. 4 in. in area, located in an unrestricted use district and occupied: Cellar—boiler room; first floor—office, shipping and manufacture of concrete burial vaults—45 persons; and

WHEREAS, the applicant contends that the building will be back 25 ft. from the street, and 5 ft. from the lot line on the east, 27 ft. from the lot line on the west, with a railroad right of way at the rear; that the building will be subdivided with a 12 in. fire wall, the factory portion covering an area of 16,400 sq. ft.; that the building will be constructed with non-combustible material, brick walls, steel framing, and the roof deck constructed of 2 in. concrete plank; that there is nothing combustible in the materials stored or manufactured on the premises, other than spraying of the vaults with paint, which will be done in an approved spray booth; that if this building were considered as having three street frontages, due to its location on the plot, no sprinkler system would be required.

Resolved, that the decision of the Borough Superintendent, in acting on N.B. 3489-38 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, waiving the requirements for a sprinkler system, *on condition* that the building shall not exceed one story in height and that the building shall not be nearer than 25 ft. to the street, nor nearer than 5 ft. from the building line on the east, 27 ft. from the lot line on the west, with the railroad right of way at the rear; that the building shall not be further increased in height or area and that the fire walls shall be maintained between the portion used for factory work and the balance of the building used for shipping space; that any paint spraying shall be in accordance with the legal permit issued by the Fire Commissioner; that this modification shall be continued only so long as the building is used as herein proposed, as a plant for the manufacture of concrete burial vaults.

626-38-A.

APPLICANT—Bernhardt T. Berman, for R. J. Lewis, lessee.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—Southeast corner of Avenue D and East 103rd street (Block No. 8136, Lot Nos. 28, 30, 31, 33, 35 and 36), Borough of Brooklyn.

APPEARANCES—

For Applicant: Bernhardt T. Berman.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(626-38-A)

WHEREAS, Bernhardt T. Berman, for R. J. Lewis, lessee, filed July 15, 1938, an appeal from a decision of the acting Borough Superintendent of Buildings, affecting premises southeast corner of East 103rd street and Avenue D (Block No. 8136, Lot Nos. 28, 30, 31, 33 and 36), Borough of Brooklyn; and

WHEREAS, the decision of the Acting Borough Superintendent dated July 11, 1938, re. Applic. No. 8795-1938, reads:

"Proposition to excavate for sand pits outside of building line on proposed Stone avenue extension denied."

and

WHEREAS, the premises in question consist of a plot of ground 260 ft. on East 103rd street and 60 ft. on Avenue D, located in an unrestricted use district, on which it is proposed to erect a wooden fence and excavate the sand therefrom; and

WHEREAS, the applicant contends that the property consists of a series of lots owned by various individuals, all of whom have granted permission to the lessee to excavate sand not more than 10 ft. below grade; that application was made for the erection of a wooden fence 8 ft. high all around the plot and the removal of sand in accordance with Sections 8.2.6 and 8.2.7 of the Building Code; that the contractor agrees to furnish a bond of Five thousand dollars to guarantee the proper fulfilment of all requirements. The sand pit will be refilled with earth before the fence is removed; that the fact that the City Map indicates the possibility of a future street should be no reason why the rightful owners should not now be permitted to excavate sand and back-fill with earth in accordance with various rules governing same; that the very nature of the application shows clearly that this operation will be a temporary one for a period of not more than one year; and

WHEREAS, the Board deemed that, while under the general City Law, it had power to permit the erection of a building within the lines of a mapped street, that this power does not extend to permitting excavation as herein proposed; and

WHEREAS, the applicant requested permission to withdraw the appeal.

Resolved, that the appeal be and it hereby is *withdrawn.*

627-38-A.

APPLICANT—Paul Friedman, for A. Lenoble, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—36-30 Steinway avenue, west side, 57 ft. 4 in. north of Jackson avenue (Block No. 665, Lot No. 38), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: Paul Friedman and John Lawson.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(627-38-A)

WHEREAS, Paul Friedman, for A. Lenoble, Inc., owner, filed on July 15, 1938, an appeal from a decision of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 36-30 Steinway avenue, west side, 57 ft. 4 in. north of Jackson avenue (Block No. 665, Lot No. 38), Astoria, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, No. 312-38, dated July 8, 1938, reads:

"Your application for a Certificate of Occupancy for a roller skating rink at premises 36-30 Steinway avenue, Astoria, is hereby DENIED, as building exceeds allowable area (5,000 sq. ft.) for non-fireproof public building, being contrary to Sec. 4.2.1 of the Building Code."

and

WHEREAS, the building is one story (15 ft.) in height, 150 ft. by 106 ft. in area, of non-fireproof construction; located in an unrestricted use district; erected in 1913; occupied as a garage for more than 5 motor vehicles; it is proposed to occupy the building: Cellar—boiler room; 1st floor, roller skating rink, 200 people; and

WHEREAS, the applicant contends that the premises cannot yield a fair return through its present use. The proposed use for a roller skating rink is the only use for which the premises can be used profitably and for which there is a demand; the proposed use would not deteriorate

the neighborhood; the proposed use would secure public safety, by providing adequate means of egress and such other provisions for public safety as may be imposed by the Board.

Resolved, that the decision of the Borough Superintendent, No. 312-38 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the occupancy of the building under appeal as a roller skating rink, *on condition* that in all other respects the building shall comply with all laws, rules and regulations applicable to the construction and occupancy thereof; that the boiler room shall be separated from the balance of the building by fireproof materials and enterable only from the exterior; that this modification shall continue only so long as the building is used as herein proposed; that all permits shall be obtained and all work completed within three months from the date of this action.

632-38-A.

APPLICANT—Nordlinger, Riegelman and Cooper, for 543 Ocean Avenue Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—539-543 Ocean avenue, east side, 150 ft. south of Church avenue (Block No. 5101, Lot No. 90), Borough of Brooklyn.

APPEARANCES—

For Applicant: L. A. Halperin and Rudolph P. Miller.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(632-38-A)

WHEREAS, Nordlinger, Riegelman and Cooper, for 543 Ocean Avenue Corporation, owner, filed on July 18, 1938, an appeal from a decision of the Acting Borough Superintendent, Department of Housing and Buildings, affecting premises: 539-543 Ocean avenue, east side, 150 ft. south of Church avenue (Block No. 5101, Lot No. 90), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent on N.B. App. 6408-38 and Amendment App. No. 10293-38, dated July 15, 1938, reads:

"The use of 'Hy-Test Cement' mortar in lieu of Portland cement mortar for brick masonry may not be permitted unless approved by the Board of Standards and Appeals, as per Sec. 2-2-3 of the Code. Application denied."

and

WHEREAS, the proposed building will be six stories (63 ft.) in height, 56 ft. by 93 ft. 9 in. in area, of nonfireproof construction; located in a residence use district and occupied throughout as a multiple dwelling; and

WHEREAS, the applicant contends that it is proposed to use Hy-Test Cement as a mortar in bearing walls having openings in excess of 35%; that the use of the proposed masonry cement will result in safety, far in excess of the requirements and form a more complete bond, greater durability and lower shrinkage subsequent to hardening; and

WHEREAS, under Cal. No. 578-38-SM, the board at this meeting approved Hy-Test Cement as a mortar under the requirements of Section C-26-312.0.c of the Administrative Code, Par. 2, A.C. (7.1.1.7.3).

Resolved, that the decision of the Borough Superintendent, on N.B. App. 6408-38 and Amendment App. No. 10293-38 be and it hereby is *modified* and that the appeal be and it hereby is *granted,* permitting the use of Hy-Test Cement Mortar for the brick masonry of this building, *on condition* that the requirements of the Building Code shall be complied with in all respects, except as to the total percentage of window openings provided for under Section 8.4 1 6, provided the total area of the window openings shall at no point exceed 45.5% and that the use of this mortar shall in all respects comply with the requirements of the Board in its resolution approving the material under Cal. No. 578-38-SM and that adequate precautions shall be taken to insure the brick being properly laid in accordance with the requirements of the Code and that resolution.

633-38-A.

APPLICANT—Sol. A. Herzog, for Gotham Photo, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1 Park place, northwest corner of Broadway (Block No. 124, Lot No. 29), Borough of Manhattan.

APPEARANCES—

For Applicant: Sol. A. Herzog and Joseph Messina.

For Administration: Insp. Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(633-38-A)

WHEREAS, Sol A. Herzog, for Gotham Photo, Inc., lessee, filed on July 18, 1938, an appeal from an order of the Fire Commissioner, affecting premises 1 Park place, northwest corner of Broadway (Block No. 124, Lot No. 29), Borough of Manhattan; and

WHEREAS, the order of the Fire Commissioner, No. 13083-LC, dated June 17, 1938, reads:

"YOU ARE HEREBY ORDERED AND REQUIRED TO: Discontinue the maintenance or operation of a still film laboratory in the above premises for the following principal reasons:

1. The building is not equipped with an approved system of automatic sprinklers. Sec. C-19-117-O-5.
2. Rooms in which inflammable motion picture film is handled or stored are not of fireproof construction. Sec. C-19-118-O-1.
3. Premises are not provided with the proper fire appliances, etc. Sec. C-19-118-O."

and

WHEREAS, the building is seven stories and basement in height, 27 ft. 6 in. by 98 ft. 5 in. in area, of fireproof construction, equipped with a standpipe system; located in a business district; erected in 1927 and occupied as follows: Cellar—photo finishing laboratory; 1st floor—stores; 2nd to 6th floors, inclusive—offices; and

WHEREAS, the applicant contends that the lessee has occupied the premises in question since January 1, 1936, for a photo finishing laboratory and retail photographic store; that the quantity of film handled never exceeds 50 rolls a week and there are seldom more than 12 rolls on the premises at any one time; that the enlarging process is carried on in a concrete and metal lined room, which has but a small amount of wood in the partition, which can be replaced with steel.

Resolved, that the Order of the Fire Commissioner No. 13083-LC be and it hereby is *modified,* and the appeal be and it hereby is *granted, on condition* that such portable fire-fighting appliances shall be installed as the Fire Commissioner shall direct; and that the maintenance of the space and equipment shall be in accordance with the requirements and to the satisfaction of the Fire Commissioner; that the quantity of film developed shall not exceed the amount stated.

MINUTES

634-38-A.

APPLICANT—De Rose and Cavalieri, for Gerard Antonacci, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—3042-3046 Fenton avenue, northeast corner of Knapp street (Block No. 4782, Lot Nos. 71 and 109), Borough of The Bronx.

APPEARANCES—

For Applicant: Anthony M. De Rose.

For Administration: M. Harris, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Absent	0

THE RESOLUTION—

(634-38-A)

WHEREAS, De Rose & Cavalieri, for Gerard Antonacci, owner, filed on July 18, 1938, an appeal from a decision of the Borough Superintendent, affecting Premises 3042-3046 Fenton avenue, northeast corner of Knapp street (Block No. 4782, Lot Nos. 71 and 109), Borough of The Bronx; and

WHEREAS, the decision of the Borough Superintendent, dated June 16, 1938, acting on Application No. 255-1938, reads:

"2. Objection not removed: Proposed increase in occupancy shall not be permitted unless building is made to conform with all the provisions of Article 7, Multiple Dwelling Law, for buildings of like class or kind. Sec. 8, Multiple Dwelling Law.

NOTE: Records of Department, Alt. Plan 496-36, show above premises to be a hereafter converted Class "A" multiple dwelling and a New Law Tenement, accepted as one building by the Board of Building Commissioners with six families above 1st floor."

and

WHEREAS, the building is 3 stories (35 ft.) in height, 25 ft. by 60 ft. in area; of non-fireproof construction; located in a business use and "C" area district; erected in 1921 and 1925 and occupied as follows: Cellar—storage and boiler room; 1st floor—store and dwelling; 2nd floor—3 apartments; 3rd floor—3 apartments; it is proposed to provide an additional apartment on the 3rd floor; and

WHEREAS, the applicant contends that the building is a hereafter converted dwelling, and Article 6 of the Multiple Dwelling Law does permit two families per floor in a converted dwelling; that Article 7, of the Multiple Dwelling Law does not apply as there will be no alteration to the inside building; that the light and ventilation of the rooms will be maintained and additional fire protection for the same area will be provided, in that an additional fire-escape will be erected at the corner building; and

WHEREAS, the Board deemed, that the proposed alteration would be contrary to the Multiple Dwelling Law, which the Board and the Department of Housing and Buildings has no power to vary, except as specifically provided in the Multiple Dwelling Law.

Resolved, that the decision of the Borough Superintendent, in acting on Application No. 255-1938, be and it hereby is *affirmed,* and that the appeal be and it hereby is *denied.*

635-38-A.

APPLICANT—Joseph B. Lynch, for Colonial Beacon Oil Co., Inc., lessee.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1868-1898 Linden boulevard, south side from Alabama avenue to Georgia avenue (Block No. 4344, Lot Nos. 1-9-10 and 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(635-38-A)

WHEREAS, Joseph B. Lynch, for Colonial Beacon Oil Co., Inc., lessee, filed on July 18, 1938, an appeal from a decision of the acting Borough Superintendent, Department of Housing and Buildings, affecting Premises 1868-1898 Linden boulevard, south side, between Alabama and Georgia avenues (Block No. 4344, Lot Nos. 1, 9, 10 and 11), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent on Fire Prevention Application 9967-38 reads:

"1. Capacity of gasoline tanks not to exceed 550 gallons. C 19-51.0, Administrative Code."

and

WHEREAS, the premises consist of a plot 200 ft. by 100 ft. in area, upon which it is proposed to erect a one-story non-fireproof building, 14 ft. 9 in. in height, 105 ft. by 28 ft. in area; to be occuped as a lubritorium, office, automobile laundry and motor vehicle repair shop; to install three (3) 2,000-gallon gasoline storage tanks in a concrete enclosure, as shown on plans filed July 18, 1938; and to erect 10 gasoline dispensing pumps and provide for 5 future gasoline dispensing pumps; and

WHEREAS, the applicant contends that the tanks will be set on concrete cradles approximately 20 in. below grade, in a concrete vault or pit with walls and floor thereof suitably waterproofed; a driveway slab with a live load of 300 lbs., will be placed at grade and entrance to the vault will be by means of a manhole and engineer's ladder; that the method of drawing gasoline from the tanks will be by the "Pull" system, which means that each dispensing pump will pull its own supply via a motor in the pump; that the ventilation of pit will be by a mechanical exhaust system operated in conjunction with the ventilation of the lubritory; that a fixed ratio of 15 air changes per hour will be maintained and the system will be operated continuously during open hours of the station; that an electrical device will be installed to prevent pump operation unless exhaust system is in operation; that the proposed piping layout indicates a separate 2 inch vent line for each tank terminating 10 ft. above roof level; that a separate fill line for each tank, fitted to an approved type fill box and a separate suction or draw-off line with required suction stub and angle check valve for each individual pump, will be provided; that the dispensing pumps will be located on concrete islands set back 16 ft. from any street line and will be masonry enclosed in accordance with the "Parkway" type pumps.

Resolved, that the decision of the Borough Superintendent, in acting on Fire Prevention Application No. 9967-38, be and it hereby is *modified,* and the appeal be and it hereby is *granted,* permitting the installation of three (3) 2,000-gallon gasoline storage tanks, as indicated on plans filed with this appeal, *on condition* that all the requirements stated on such plans (Sheets 1, 2 and 3) shall be complied with; that the ventilating duct from the tank enclosures shall be of 8-inch terra cotta, below ground, and approved metal ducts above ground to the roof; that the tanks shall be inspected daily to detect any possible leaks and that a record of inspection shall be maintained on the premises for inspection by the Department; that the tank enclosure shall be waterproofed at the bottom and on the side walls, up to a point sufficient to contain 1½ times the total capacity of the tanks; that the saddles on which the tanks rest, shall be lined with sheet lead with full bearing, and that in all other respects, the installation shall comply with the Administrative Code requirements therefor.

MINUTES

636-38-A.

APPLICANT—Imperial Paper Box Corporation, owner.

SUBJECT—Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—252-262 Newport street and 514-530 Watkins street, southwest corner (Block No. 3617, Lot Nos. 18 to 21, inclusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: David F. Hafter.

For Administration: Insp. Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(636-38-A)

WHEREAS, Imperial Paper Box Corporation, owner, filed July 18, 1938, an appeal from an order and decision of the Fire Commissioner affecting premises 252-262 Newport street and 514-530 Watkins street, southwest corner (Block No. 3617, Lot Nos. 18 to 21 inclusive), Borough of Brooklyn; and

WHEREAS, the order of the Fire Commissioner, No. 359-LF, dated May 19, 1938, reads:

"1. Install an approved standpipe system in accordance with Article 17, Chapter 26, Administrative Code of the City of New York, C19-161.0 Administrative Code of the City of New York."

and

WHEREAS, the decision of the Fire Commissioner, dated June 22, 1938, reads:

"In answer to your communication of June 14, you will please be advised that your representative was informed when he called at this office recently that the modification which was granted by the Department of Buildings, under date of February 6, 1936, in connection with the standpipe system could not be accepted unless ratified by the Board of Standards and Appeals. This order has been issued under a mandatory provision of law and must be complied with. We therefore ask that you give the matter your immediate attention and arrange to have this order complied with without further delay."

and

WHEREAS, the building is 4 stories (45 ft.) in height, 100 ft. by 150 ft. in area, of fireproof construction, erected in 1928, equipped with a sprinkler system and occupied: Cellar, manufacturing and storage, 20 persons; 1st floor, manufacture of paper boxes, 40 persons; 2nd floor, same, 40 persons; 3rd floor, manufacture and stock, 40 persons; 4th floor, manufacture and stock, 15 persons; and

WHEREAS, the applicant contends that the building is equipped with two (2) fireproof stairways; that watchman service is maintained; that housekeeping conditions are good; that the expenses involved in compliance with the order, would create a severe hardship.

Resolved, that the order of the Fire Commissioner No. 359-LF be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that the sprinkler system shall be maintained in accordance with the Sprinkler Rules of the Board of Standards and Appeals, including Central Office Water-flow Alarm; and that in all other respects the building shall comply with all laws, rules and regulations applicable to the construction and occupancy.

638-38-A.

APPLICANT—Charles Wissel, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—185-22 Merrick road, south side, 135 ft. east of Main street (Block No. 3584, Lot No. 23), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Charles Wissel.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(638-38-A)

WHEREAS, Charles Wissel, owner, filed on July 18, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 185-22 Merrick road, south side, 135 ft. east of Main street (Block No. 3584, Lot No. 23), Springfield, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent on N.B. Application No. 5596-38, dated July 18, 1938, reads:

"The erection of a frame building within the fire limits is contrary to section 4-1-2 BC."

and

WHEREAS, the proposed building will be 1½ stories (26 ft.) in height and 29 ft. by 34 ft. in area, of frame construction, located on a lot 65 ft. by 7 in. by 144.65 ft., located in a business use district and occupied as a one family frame dwelling and office; and

WHEREAS, the applicant contends that the building will be brick veneered and that the roof will be surfaced with asbestos shingles.

Resolved, that the decision of the Borough Superintendent, in acting on N.B. Application No. 5596-38, be and it hereby is *modified,* and the appeal be and it hereby is *granted, on condition* that the building shall be surfaced with brick veneer for the entire height from grade to the plate line; that the building shall be used only for residence for one family and private office of owner occupant; and that the building shall comply in all respects with the requirements of the Building Code and the requirements of the Building Zone Resolution as they apply to a "D" area district.

641-38-A.

APPLICANT—Sunrise Sawdust Company, lessee, for Euclid Lumber Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—411-421 Euclid avenue, east side, 100 ft. north of Glenmore avenue (Block No. 4195, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: Philip Aranow.

For Administration: Insp. Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(641-38-A)

WHEREAS, Sunrise Sawdust Company, lessee, for Euclid Lumber Corporation, owner, filed on July 19, 1938, an appeal from an order of the Fire Commissioner, affecting Premises 411-421 Euclid avenue, east side, 100 ft. north of Glenmore avenue (Block No. 4195, Lot No. 6), Borough of Brooklyn; and

WHEREAS, the order of the Fire Commissioner, No. 75785-LC, dated July 13, 1938, reads:

"Your application dated May 25, 1938, for a permit to store 5 tons of sawdust is herewith disapproved for

the reason that the Administrative Code of the City of New York, states that no permit for the storage of combustible fibre may be issued in a building of frame construction, except in sparsely settled districts. C-19-149-C-3.

1. You are, therefore, ordered to remove sawdust from the premises, and discontinue the storage of same in this building of frame construction"

and

WHEREAS, the building is one story (7 ft.) in height, 40 ft. by 20 ft in area, of frame construction; located in unrestricted use district; erected in 1938 on a lumber yard plot and occupied for storage of sawdust; and

WHEREAS, applicant contends that the sawdust is stored in bags and that there are no open flames or sparking mechanisms located nearby.

Resolved, that the order of the Fire Commissioner, No. 75785-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted, on condition* that the building shall be lined with metal not less than 22 gauge galvanized steel throughout; that a skylight shall be erected in the roof, glazed with thin plain glass; that not more than two (2) tons of sawdust shall be stored at one time and such sawdust shall be stored in 20 lb. burlap bags; and that such portable fire-fighting appliances shall be installed as the Fire Commissioner shall direct.

647-38-A.

APPLICANT—Aymar Embury II, for the Department of Parks, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—South side of Grand Central parkway, opposite 112th street (Block No. 1685, part of Lot No. 100), Corona, Borough of Queens.

APPEARANCES—

For Applicant: A. D. Marinelli.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(647-38-A)

WHEREAS, Aymar Embury II, for the Department of Parks, City of New York, owner, filed July 20, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises south side of Grand Central Parkway, opposite 112th street (Block No. 1685, part of Lot No. 100), Corona, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent on Alteration Application 5474-38, dated July 19, 1938, reads:

"1. The proposed installation of two 1,500 gallon gasoline tanks at this existing gasoline service station is contrary to Chapter 19, Title C, Part 1, Article 1, Section C-19-69.0 of the Administrative Code.."

and

WHERAS, the premises consists of a plot of ground on which there is located a one story building, 14 feet in height, 47 ft. 6 in. by 27 ft. 6 in. in area and six 550-gallon gasoline storage tanks and three pumps. It is proposed to install two new 1,500-gallon gasoline storage tanks in front of the building as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that it is necessary to store as much gasoline as possible, because of the enormous volume of traffic on Grand Central Parkway in connection with the World's Fair site. The use of small tanks would require too many truck deliveries, which would cause congestion on the parkway. There are no other buildings within many hundreds of feet of the station in question.

Resolved, that the decision of the Borough Superintendent, in acting on Alt. Applic. No. 5474-38, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the two (2) proposed 1,500-gallon tanks for gasoline storage shall in all other respects comply with the requirements of the Administrative Code for 550-gallon tanks, except as to capacity and that the construction of these tanks shall comply with the Oil Burner Rules of the Board of Standards and Appeals for cylindrical tanks.

648-38-A.

APPLICANT—Aymar Embury II, for the Department of Parks, City of New York, owner.

SUBJECT—Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—North side of Grand Central parkway, opposite 112th street (Block No. 1685, part of Lot No. 100), Corona, Borough of Queens.

APPEARANCES—

For Applicant: A. D. Marinelli.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(648-38-A)

WHEREAS, Aymar Embury, II, for the Department of Parks, City of New York, owner, filed July 20, 1938, an appeal from a decision of the Borough Superintendent of Buildings, Department of Housing and Buildings, affecting premises: North side of Grand Central parkway opposite 112th street (Block No. 1685, part of Lot No. 100), Corona, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent of Buildings on alteration application 5475-38, dated July 19, 1938, reads:

"1. Proposed installation of two 1,500 gallon gasoline tanks at this existing gasoline service station is contrary to Chapter 19, Title C, Part 1, Article 1, Section C19-69.0 of the Administrative Code."

and

WHEREAS, the premises in question consists of a plot of ground on which there is located a one story building, 14 ft. in height, 47 ft. 6 in. by 27 ft. 6 in. in area and six 550 gallon gasoline storage tanks and three pumps. It is proposed to install two new 1,500 gallon gasoline storage tanks in front of the building as shown on plans filed with this appeal; and

WHEREAS, the applicant contends that it is necessary to store as much gasoline as possible, because of the enormous volume of traffic on Grand Central parkway in connection with the World's Fair site. The use of small tanks would require too many truck deliveries, which would cause congestion on the parkway. There are no other buildings within many hundreds of feet of the station in question.

Resolved, that the decision of the borough superintendent, in acting on Alt. Applic. No. 5475-38, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the two (2) proposed 1500 gallon tanks for gasoline storage shall in all other respects comply with the requirements of the Administrative Code for 550 gallon tanks, except as to capacity and that the construction of these tanks shall comply with the Oil Burner Rules of the Board of Standards and Appeals for cylindrical tanks.

343-37-A.

APPLICANT—Benjamin N. Brody, for Banner Mfg. Co., Inc., lessee.

MINUTES

SUBJECT—Application for consideration—reopening and extension of time—re appeal from an order of the Fire Commissioner.
PREMISES AFFECTED—37-47 Preston Court, north side, 287.85 ft. west of East 56th street (Block No. 7949B, Lot No. 223), Borough of Brooklyn.
APPEARANCES—
For Applicant: Alice Brody.
ACTION OF BOARD—Appeal reopened and time extended.
THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0
THE RESOLUTION—

(343-37-A)

WHEREAS, Benjamin N. Brody for Banner Mfg. Co., Inc., lessee, filed July 6, 1937, an appeal from an order of the Fire Commissioner affecting premises: 37-47 Preston court, north side, 287.85 ft. west of East 56th street (Block No. 7949B, Lot No. 223), Borough of Brooklyn; and
WHEREAS, the order of the Fire Commissioner No. 71329-LC, dated June 4, 1937, reads as follows:

"Remove from the premises and discontinue the further manufacture, storage and sale of combustible mixtures known as 'Anti-Freeze' and 'General Motors Anti-Freeze,' for the reason that the manufacture and storage of a combustible mixture on the premises where dry goods or other materials of a highly inflammable nature are manufactured, stored or sold is a violation of subdivision F, section 131, chapter 10, Code of Ordinances, New York.

A report from the testing laboratory (May 18, 1937) shows 'Anti-Freeze' a combustible mixture, flash point 108 degrees F. and 'General Motors Anti-Freeze' a combustible mixture, flash point 104 degrees F."

and
WHEREAS, the building in question is 95 ft. by 45 ft. in area, 2 stories and basement (30 ft.) in height, non-fireproof construction, located on a lot, 140 ft. by 178 ft. in area, in an unrestricted district, erected in 1931 and used as at present since January, 1937; OCCUPIED as follows: Cellar—storage of Anti-Freeze mixture, 4 persons; 1st floor—storage of tin cans and paper cartons, 4 persons; 2nd floor—storage of fibre matting and manufacture of auto seat covers, 8 persons; for which Certificate of Occupancy No. 64518 was issued June 12, 1931, as follows: Cellar—testing and storage rooms; 1st floor—120 lbs., light manufacturing; 2nd floor—120 lbs., light manufacturing; one male employee in entire building; and
WHEREAS, this appeal was granted by the board, November 3, 1937, on certain conditions and applicant requested an extension of time.
Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board of November 3, 1937, as amended January 11, 1938, and April 12, 1938, so far as it has reference to completion of work, so that as amended the resolution shall read:

"*Resolved,* that the order of the Fire Commissioner, No. 71329-LC, be and it hereby is *modified,* and that the appeal be and it hereby is *granted on condition* that all of the materials of an inflammable nature shall be stored in the basement toward the easterly end and that this portion of the basement shall be separated from the balance of the basement by a fire-retarded partition erected approximately 30 ft. westerly from the easterly exterior wall and continuously from the northerly wall of the building to the southerly and that the ceiling within this space shall be fire-retarded in accordance with the rules of the Board of Standards and Appeals; that any openings in this partition shall be protected with approved automatic, self-closing underwriter's fire doors; that no filling, packaging or storing of inflammable material shall take place elsewhere in the building than within this enclosure; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that in all other respects, all laws, rules and regulations applicable to the occupancy of this building shall be complied with; that all permits shall be obtained and all work shall be completed within *three* months from the date of this amended resolution."

VARIATIONS OF LABOR LAW

470-37-S.
APPLICANT—Edwin W. Kleinert, for Pearl Weinstein, owner.
SUBJECT—Variation of the labor law as cited in an order and a decision of the commissioner of buildings.
PREMISES AFFECTED—68 Stagg street, south side, 150 ft. west of Leonard street (Block No. 3032, Lot No. 14), Borough of Brooklyn.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Application dismissed for lack of prosecution.
THE VOTE TO DISMISS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0
THE RESOLUTION—

(470-37-S)

WHEREAS, Edwin W. Kleinert, for Pearl Weinstein, owner, filed on September 29, 1937, an application with the Board of Standards and Appeals relative to an order and a decision of the Commissioner of Buildings, affecting premises: 68 Stagg street, south side, 150 ft. west of Leonard street (Block No. 3032, Lot No. 14), Borough of Brooklyn; and
WHEREAS, the applicant failed to complete the papers in this case, although duly notified to do so.
Resolved, that the application be and it hereby is dismissed for lack of prosecution.

496-38-S.
APPLICANT—The Salvation Army, lessee.
SUBJECT—Variation of the labor law as cited in an order of the acting borough superintendent of buildings.
PREMISES AFFECTED—250 Myrtle avenue, south side, 90 ft. east of Ashland place, 99-113 Ashland place and 47-57 Bolivar street, northeast corner (Block No. 2068, Lots 1, 26 and 12), Borough of Brooklyn.
APPEARANCES—
For Applicant: T. B. Dickinson.
ACTION OF BOARD—Application granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0
THE RESOLUTION—

(496-38-S)

WHEREAS, The Salvation Army, lessee, filed on June 11, 1938, an application for a variation of the Labor Law as cited in an order of the Acting Borough Superintendent, Department of Housing and Buildings, and an appeal from a portion of the same Order relating to the Building Code, affecting Premises 250 Myrtle avenue, south side, 90 ft. east of Ashland place, 99-113 Ashland place and 47-57

Oliver street, northeast corner (Block No. 2068, Lot Nos. 1, 26 and 12), Borough of Brooklyn; and

WHEREAS, the Order of the Acting Borough Superintendent, dated May 13, 1938, reads:

"Re: Corr. 6813-38:

You will please take notice that there exists a violation of the Building Code at the premises hereinafter described, in that

Interior stairways as required means of egress do not extend to the roof and provision has not been made for adequate lighting of the stairways by artificial light in violation of Labor Law and 6.1.9 of the Building Code and C26-280.0 of the Administrative Code.

You are required to comply with the requirements of Labor Law and Building Code, as described."

and

WHEREAS, the building is 2 stories (35 ft.) in height, 150 ft. by 209 ft. in area; of fireproof construction; erected in 1910 and occupied: Cellar—boiler room; 1st floor—shops and garage; 2nd floor—storage and show room; the building is equipped with a sprinkler system, two interior 48-inch wide fireproof stairs, equipped with kalamein doors; at openings, extending from the second floor to the street; and

WHEREAS, applicant contends that the existing stairways are direct means of exit from the 2nd floor only, going directly from the 2nd floor to the sidewalk, without communication with any other part of the building, having no connection with the first floor; that no advantage could be gained by carrying the stairways to the roof, inasmuch as there would be no escape to any other building from the roof.

Resolved, that Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, and that the application be and it hereby is *granted*, waiving the requirements for continuation of the existing stairs to the roof, *on condition* that there is a door introduced from the second floor to the one-story roof to the north, from which access can be had from the rear second story to the stairway leading to Oliver street, on the northeast corner of the building; that the ramp from the second floor to the first floor shall be enclosed in fireproof partition with fireproof, self-closing door at the top; and that the requirements of all laws, rules and regulations shall be complied with in all other respects.

637-38-S.

APPLICANT—American Store Equipment and Construction Corporation, for Jafcott Restaurant, Inc., lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—512 Seventh avenue and 200-212 West 38th street, southwest corner (Block No. 787, Lot No. 44), Borough of Manhattan.

APPEARANCES—

For Applicant: Jack E. Stern.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(637-38-S)

WHEREAS, American Store Equipment & Construction Corporation for Jafcott Restaurant, Inc., lessee, filed on July 18, 1938, an application for a variation of the Labor Law as cited in a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises: 512 Seventh avenue and 200-212 West 38th street, southwest corner (Block No. 787, Lot No. 44), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated July 18, 1938, on Alteration Application 2097-37 reads:

"7. Stairwell in first floor should be enclosed in fireproof partitions as per Sections 264 and 270, Labor Law. Reconsideration denied."

and

WHEREAS, the building is 43 stories (513 ft. 10 in.) in height, 122 ft. 10 in. by 116 ft. 9 in. in area, of fireproof construction, occupied: Cellar—storage and restaurant, 30 persons; 1st floor—stores and restaurant, 40 persons; 2nd to 43rd floors—showrooms and 25% manufacturing, 75 persons per floor; equipped with a standpipe and fire-alarm system, two 44 in. fireproof stairs leading directly from roof to street and one exterior stairway leading from roof to grade with fireproof windows on the course thereof; and

WHEREAS, the applicant contends that the stairway in question connects the restaurant on the first floor with the restaurant in the basement; that the exits from the first floor of the restaurant, consisting of a revolving door and a 3 ft. wide door opening to the lobby of the building; that in addition to the proposed stairway from the cellar portion of the restaurant, there is a 3 ft. door opening into an enclosed passageway which leads direct to the street; that the restaurant has been leased for 5 years and the stairway can be removed and stairwell sealed when the lease is terminated.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent of Buildings, Alteration Application No. 2097-37, and that the application be and it hereby is *granted on condition* that the stairway in question shall be wholly within the quarters occupied by the restaurant and not connected with any other part of the building; that the stairway shall be of fireproof construction and shall be blocked off with masonry or other fireproof materials on the underneath side to floor; that in all other respects the building and occupancy shall comply with the Labor Law and all other laws, rules and regulations applicable thereto; that this variation shall continue only so long as this stairway is used in connection with the restaurant occupancy, and that it shall be continued and completely removed and the stair well floored over with fireproof construction upon the expiration of the restaurant lease.

3-36-S.

APPLICANT—Miller and Goldhammer, for Rosedale Engineering Co., owner.

SUBJECT—Application for consideration—reopening and amendment—re Variation of the labor law as cited in decision of the commissioner of buildings.

PREMISES AFFECTED—1791-1799 Westchester avenue and 1301 Beach avenue, northwest corner (Block No. 3786, part of Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(3-36-S)

WHEREAS, Miller and Goldhammer, for Rosedale Engineering Co., owner, filed January 3, 1936, an application for a variation of the labor law as cited in decision of

the Commissioner of Buildings, affectng premises 1791-1799 Westchester avenue, 1301 Beach avenue, northwest corner (Block No. 3786, part of Lot No. 1), Borough of The Bronx; and

WHEREAS, the decision of the Commissioner of Buildings, dated May 17, 1935, reads as follows: (Alt. App. 240-35)

"1. Stairway must be constructed in accordance with Section 270 of the Labor Law.

3. Stairway must continue to roof or when permitted be provided with scuttle as described in Rule 12 of the Factory Exit Rules of the Board of Standards and Appeals."

and

WHEREAS, this application was granted by the Board January 28, 1936, on certain conditions and applicant requested an amendment of the resolution as to the live load per superficial foot, on the second story.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of January 28, 1936, only so far as it has reference to the required load per superficial foot on the second floor, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the requirement of the labor law, and that the application be and it hereby is granted, permitting the area on the second floor, as indicated on plans filed with this application, to be used for light manufacturing purposes, on condition that both stairways shall be enclosed on all sides on both the second and first floors with fire-retarding material, including the soffits beneath; that an iron-rung ladder and scuttle shall be installed at the head of each stair leading to the roof; that there shall be constructed a vestibule leading from the space to be used for manufacturing to the central stairway, so as to avoid interference of swinging doors and that the door to the billiard parlor from the stairway shall be swung from the opposite jamb, so as to open in the direction of exit; that the allowable floor load per superficial foot on the second floor shall be not more than 75 lbs.; that the requirements of the zoning resolution shall be complied with as to the amount of space used for manufacturing purposes; that at no time shall more than 15 persons be employed at work for factory within the area of the second floor wherein manufacturing is herein permitted; that this building shall not be increased in height and granted only so long as conditions comply with the terms of this resolution and the building is arranged as indicated on the plans filed with this appeal; that in all respects other than as herein varied, the building shall comply with the State Labor Law and all laws and regulations applicable thereto."

APPLIANCES SUBMITTED FOR APPROVAL

165-38-SA.

APPLICANT—Josam Manufacturing Company, owner.

SUBJECT—Josam Plaster Interceptor (Plumbing Device), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved, in accordance with report of the committee on tests.

THE VOTE TO APPROVE APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(165-38-SA)

WHEREAS, the Josam Manufacturing Company, owner, filed March 11, 1938, an application with the Board of Standard and Appeals for approval of the plumbing device known as the Josam Plaster Interceptor; and

WHEREAS, this device was submitted to a committee of the Board for test and report; and

WHEREAS, the report of the Committee of the Board was as follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 165-38-SA

Josam Plaster Interceptor.

(Plumbing Device)

July 18, 1938.

The Josam Mfg. Co., filed March 11, 1938 an application with the Board of Standards and Appeals for approval of the device known as the Josam Plaster Interceptor (Plumbing Trap).

The functions of the Josam Plaster Interceptor is to provide adequate interception and retention of any foreign substances in waste water from hospital sinks, such as . . . plaster of Paris (either solid or in state of suspension), cotton, lint and hair, and prevent such substances from entering waste lines.

The interceptor also affords means of removal of such intercepted substances, thus making the cleaning of the interceptor an easy matter.

In design, the interceptor is a cast iron body, and gasketed cast iron cover, enameled on the exterior and resting directly upon the floor.

The cover is kept watertight by means of thumb nuts on the four exposed upper corners of the interceptor body. The interior basket is a four-compartment unit of heavy cast iron, with double lift bars above water line for the removal of same out of interceptor body.

Four close mesh removable bronze screens reside within the basket in slides, and lay at such an angle, and at such vertical space that ample surface is presented for the repose of the foreign substances above mentioned upon their discharge into the interceptor. Ample interior space is provided within the body, as the over-all dimensions of the interceptor are 14 in. by 14 in. square, 16 in. high, and with 2 in. threaded connections.

This device was inspected and testtd by a Committee of the Board at the Lenox Hill Hospital, Thursday, July 14, 1938 and was found to function properly. As a result of the inspection and test it is recommended that the Josam Plaster Interceptor (Plumbing Trap) be approved for use in New York City under C26-1260.0 Admin. Code (14.5.6 BC) on condition that the device bear a label permanently affixed reading, "Approved by the Board of Standards and Appeals" for use in New York City under Cal. No. 165-38-SA. "Notice: The contents of the trap must be removed at intervals of not more than one week."

(Sgd.) CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Josam Plaster Interceptor (plumbing trap) for use in New York City, *on condition* that the device be installed, operated and labeled in accordance with the above report.

166-38-SA.

APPLICANT—Josam Manufacturing Company, owner.

SUBJECT—Josam Grease Interceptor (Plumbing Device), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved, in accordance with report of the committee on tests.

THE VOTE TO APPROVE APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(166-38-SA)

WHEREAS, the Josam Manufacturing Company, owner, filed March 11, 1938, an application with the Board of Standards and Appeals for approval of the plumbing device known as Josam Grease Interceptor; and

WHEREAS, this device was submitted to a committee of the Board for test and report; and

WHEREAS, the report of the Committee of the Board was as follows:

REPORT OF COMMITTEE ON TESTS

Cal. No. 166-38-SA.
Subject: Josam Grease Interceptor
(Plumbing Device)

July 18, 1938.

The Josam Manufacturing Company filed March 11, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Josam Grease Interceptor for use in plumbing systems. The function of the Josam Grease Interceptor is to provide a unit for the interception and retention of grease from waste water and to provide a means for easily removing the grease after a period of accumulation.

The interceptor consists of a cast iron body and gasketed cover with a slanted bottom design continuous channel from inlet to outlet point at a steeper incline than the normal bottom and with removable baffles whose function is to route the water on its discharge into the interceptor and to break up the grease globules. The principle of operation is based on the differential in specific gravity of grease and water.

A test was made of the device at the City Hall, Philadelphia, in the presence of the committee of the board and representatives of various building departments. At the test definite amounts of grease and hot water were run through the trap with the result that practically 98% of the grease was recovered.

As a result of the test it is recommended that the Josam Grease Interceptor be approved for use in New York City, under C26-1260.0 Adm. Code (14.5.6 BC.) on condition that the device bear a label permanently affixed reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 166-38-SA" and the words "Notice—The grease in the trap must be removed at intervals of not more than two weeks."

(Sgd.) CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as Josam Grease Interceptor (plumbing trap) for use in New York City when installed, operated and labeled in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL

169-38-SM.

APPLICANT—Owens-Illinois Glass Company, owner.
SUBJECT—Insulux Glass Block, approval of.
APPEARANCES—
For Applicant: A. J. Eldon and H. Perrine.
ACTION OF BOARD—Material approved in accordance with report of the committee on tests.
THE VOTE TO APPROVE MATERIAL—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0

THE RESOLUTION—

(169-38-SM)

WHEREAS, Owens-Illinois Glass Company, owner, filed March 12, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Insulux Glass Block; and

WHEREAS, this material was submitted to a committee of the board for test and report; and

WHEREAS, the report of committee of the board is as follows:

REPORT OF COMMITTEE ON TESTS

July 19, 1938

Re: Cal. No. 169-38-SM
Insulux Glass Blocks.

The Owens-Illinois Glass Company, filed on March 12, 1938 an application with the Board of Standards and Appeals for the approval of Insulux Glass Blocks which are manufactured at the applicant's plant located at Muncie, Indiana, under section C-26-191-0 AC (2.2.3 BC).

This is a hollow, partially evacuated glass block consisting of two halves made of water clear pressed glass hermetically sealed when made. Sealing is accomplished by applying molten aluminium alloy to the edges of the halves in a dipping process and then applying a pressure on the blocks while the seal is fusing, after which they are annealed. Upon cooling, an enamel like substance and silica sand baked on at a high temperature is applied to the mortar bearing surface.

These blocks are manufactured and distributed commercially as follows:

Series No.	*Size*	*Face Pattern*
100	8"x 4⅞"x3⅞"	1, 2, 7, 11
100-H	3⅞"x 4⅞"x3⅞"	1-H, 2-H, 7-H, 11-H
200	5¾"x 5¾"x3⅞"	1, 2, 7, 11, 16
300	7¾"x 7¾"x3⅞"	1, 2, 7, 11, 16, 17
400	11¾"x11¾"x3⅞"	2, 7, 16, 17

In addition to the rectangular blocks as listed above, the following corner and radial blocks are manufactured:

Series No.	*Size*	*Face Pattern*
Corners:		
100-A (Bullnose)	4⅞" high	¼" Rib
100-B (Bullnose)	4⅞" high	½" Rib
200-A (Quarter Round)	5¾" high	¼" Rib
200-B (Quarter Round)	5¾" high	½" Rib
300-A (Quarter Round)	7¾" high	¼" Rib
300-B (Quarter Round)	7¾" high	½" Rib
Corners:		
100-AL (Light Transmitting)	4⅞" high	¼" Rib
100-BL (Light Transmitting)	4⅞" high	½" Rib
200-AL (Light Transmitting)	5¾" high	¼" Rib
200-BL (Light Transmitting)	5¾" high	½" Rib
300-AL (Light Transmitting)	7¾" high	¼" Rib
300-CL (Light Transmitting)	7¾" high	½" Rib
301R-Radial Block	7¾"x7"x3⅞"	No. 1 Pattern
317R-Radial Block	7¾"x7"x3⅞"	No. 17 Pattern

Tests were conducted at Purdue University in August, 1935, covering compression, adhesion, wind pressure and transmission of heat and light on blocks Series 100, 200, 300. A report of these tests has been filed with this application and remains part of this record.

In April 1937, Purdue University repeated tests on the aforementioned series and included series 400. This included test of strength, fire and hose stream tests and a copy of this report is also filed as a part of the record in this application.

Series 100 was subjected to fire and hose stream tests by the Underwriters Laboratories in September 1937 and a copy of the report on these tests is filed with and made a part of this record.

On the bases of these tests, it is recommended that the Insulux Glass Blocks as manufactured by the Owens-Illinois Glass Company of Toledo, Ohio, be

approved for use in New York City under the following conditions:

GENERAL CONDITIONS:

These blocks to be laid up in mortar at least 1 part Portland cement, 1 part lime and four parts clean graded sand by volume, joints to be of shoved type and not less than ¼ inch in thickness and completely filled with mortar and provided with bond ties, called wall ties by applicant as follows:

In buildings not over four stories in height:
No. 100 Series block every fourth course.
No. 200 Series block every fourth course.
No. 300 Series block every third course.
No. 400 Series block every course.

In buildings over four stories in height:
No. 100 Series block every second course.
No. 200 Series block every second course.
No. 300 Series block every second course.
No. 400 Series block every course.

Where these blocks are used above the ninth story in exterior panels exceeding 60 sq. ft. in area every series of Insulux Glass Block wherever used shall be provided with bond ties in every course.

The bond ties used shall be of flat expanded steel not less than 20 gauge galvanized after forming not less than 8 feet long (in panels where full length bond ties can be used), by 2⅜ inches wide and lapped at least 6 inches.

Where these blocks are used in panels on interior lot line walls and over adjoining roofs all blocks in such panels regardless of the height of building shall be provided with bond ties in every horizontal course.

Panels not exceeding 80 sq. feet in area unless set in chases shall be anchored to adjoining masonry at the jambs by 20 gauge metal ties 1¾"x24" galvanized after forming, and laid in horizontal block joints and extended 12 in. into the masonry located as frequently as bond ties. They are to be crimped or bent to allow for expansion.

Panels between structural supports or vertical or horizontal angle supports shall not exceed 144 square feet in area or be over 20 feet in height or width.

Panels greater than 80 sq. feet in area shall be anchored by setting in chases formed by masonry, concrete wood or metal shapes at the jambs and at intermediate stiffeners designed so as to provide level support and clearance for expansion.

Expansion joints shall be provided at jambs and heads of all glass block panels. In a continuous series of panels the intervals shall not exceed 20 feet. Such expansion joints may be packed with oakum, fibre glass or similar resilient material and pointed on both sides with not less than ½" of non-hardening waterproof caulking material. The depth of expansion joints shall not be less than ½" and they shall be kept free of mortar.

Fire Department Access Panels:

Above the first or ground floor in every story of a building fire department access panels shall be provided in every frontage and not less than 50 ft. on centers horizontally. These access panels shall be at least 32 in. wide and shall have a minimum height of 48 in. and be constructed of steel sash which may be movable or fixed and when movable it shall be hinged on the side, shall open out and shall be openable from the exterior and in addition, may be openable from the interior.

This approval shall not at any time be deemed to include enclosure walls or bearing walls as described in the Building Code, but shall be for interior and exterior walls *where the openings would otherwise be filled with windows.*

Insulux blocks may be used for non-bearing interior partitions where there are no requirements for fire walls or fire partitions. When so used they shall be laid up in mortar suitable for interior work.

This block may also be used as veneer or ashlar when properly supported independently of the masonry on shelf angles and ½ in. away from any masonry backing and properly anchored with 20 gauge galvanized anchors to such masonry backing spaced not more than 18 in. apart.

This material may also be used for bulkheads for show windows and decorative interiors when properly supported, but shall not be substituted for required fireproof or fire resistive materials.

The series No. 100 Insulux glass block panels may be used for lot line openings in multiple dwellings and under C-26-610.0 (10.1.18) as meeting the requirements for a protected window opening having a rating of ¾ hour as approved by the Underwriters Laboratories (File R-2582) which test was supplemented by a similar fire test conducted at Muncie, Indiana, by Purdue University.

This Material is marketed in Cartons.

The cartons containing this material, when shipped for use in New York City shall be marked, labeled or tagged "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 169-38-SM."

(Sgd.) BERNARD A. SAVAGE,
CHARLES M. BLUM,
Commissioners.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Insulux Glass Block, when manufactured, installed and labeled in accordance with above report.

235-38-SM

APPLICANT—United States Gypsum Company, owner.
SUBJECT—Approval of Metal Bound Tongue and Grooved Gypsum Tile, 2 inch, Types I and K, manufactured by United States Gypsum Company.
APPEARANCES—
For Applicant: C. E. Heintz.
ACTION OF BOARD—Material approved in accordance with report of the committee on tests.
THE VOTE TO APPROVE MATERIAL—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0

THE RESOLUTION—

(235-38-SM)

WHEREAS, United States Gypsum Company, owner, filed April 7, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Metal Bound Tongued and Grooved Gypsum Tile, 2 inch, Types I and K; and

WHEREAS, this material was submitted to a Committee of the Board for test and report; and

WHEREAS, the report of Committee of the Board is as follows:

REPORT OF COMMITTEE ON TESTS

Cal. No. 235-38-SM.
U.S.G. Steel Bound Long Span and Medium Span Gypsum Tile for Floor and Roof Construction. Tongue & Grooved Gypsum Tile, Types I & K.
July 18, 1938.

The United Gypsum Company, 30 Rockefeller Plaza, New York City, filed April 7, 1938, an application with the Board of Standards and Appeals for approval of their material known as U.S.G. Steel Bound Long Span and Medium Span Gypsum Tile for Floor and Roof Construction.

U.S.G. Steel Bound Gypsum Tile are made of gypsum conforming to the A.S.T.M. Requirement C26-33, reinforced with No. 12 and No. 14 gauge galvanized

electric welded wire mesh 5 inches by 6 inches with No. 20 gauge for Long Span and No. 26 gauge for Medium Span, tongue and grooved steel binding enclosing all edges. The Long Span units are manufactured in size 2 inches thick by 15 inches wide and 10 feet in length. The Medium Span units are 2 inches by 15 inches and 8 feet in length. The Gypsum Tile, Type I, was subjected to load tests at the plant of the manufacturer at New Brighton, Staten Island, New York, under the direction of Prof. W. J. Krefeld, Director Engineering Materials Laboratory, Columbia University. The report of these tests is a record in this application. A report of The Thompson & Lichtner testing laboratories, dated March 16, 1938 on Type K, is also a part of this record.

On this basis of the load tests, it is recommended that Medium Span Gypsum Tile, Type K, on 3 feet spans be allowed a total load of 130 lbs. per sq. ft., on 4 feet spans 75 lbs. per sq. ft. Long Span Gypsum Tile, Type I, on 6 feet 8 inches span 52 lbs. per sq. ft., and on 5 feet spans 85 lbs. per sq. ft., all figures based on continuous span values.

Approval is recommended under C26-619.0 Administrative Code (10.3.1 BC) for roofs of Class 1 and Class 2 construction where the fire protective covering is omitted from roof trusses as provided in C26-618.0 Administrative Code (10.2.8 BC).

Approval of this material is also recommended under section C26-620.0 C of the Administrative Code (10.3.2.3, sub. 2 BC) which provides for the use of a floor assembly in Class 2 Fire Protected Structures of a 2 inch reinforced Gypsum top slab for the floor when the supporting steel joists or beams are protected with at least ⅞ inch Gypsum or cement plaster on metal lath, as provided for in this section of the Code.

Whenever U.S.G. Steel Bound Long Span and Medium Span Gypsum Tile is placed on steel beams, precautions shall be taken to align the top flange surface of all beams in the same plane, and each beam shall be so placed as to provide adequate and level bearing for the gypsum tile flooring. No U.S.G. Steel Bound Gypsum Tile shall be used as a floor unless it is surfaced with a cinder concrete top or other equivalent material so as to protect against punching shear. All U.S.G. Steel Bound Medium Span Gypsum Tile and U.S.G. Steel Bound Long Span Gypsum Tile shall conform to the specifications and limitations set forth herein including the proper support of the sides and ends of any gypsum tile unit not meshing with adjacent units.

These tiles shall be labeled or marked with type of gypsum tile "U.S.G. Steel Bound Medium Span Gypsum Tile, Type K" or "U.S.G. Steel Bound Long Span Gypsum Tile, Type I" and with the label or mark "Approved by the Board of Standards and Appeals, Cal. No. 235-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Metal Bound Tongued and Grooved Gypsum Tile, 2 inch Type I and K when manufactured, installed and labeled in accordance with above report.

365-38-SM.

APPLICANT—Modern Porcelain Products Co., agent for Metal-Lithic Products Company, owner.

SUBJECT—Approval of Metal-Lithic Building Veneering Unit, manufactured by Metal-Lithic Products Company.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of the committee on tests.

THE VOTE TO APPROVE MATERIAL—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(365-38-SM)

WHEREAS, Modern Porcelain Products Co., agent for Metal-Lithic Products Company, owner, filed May 13, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Metal-Lithic Building Veneering Unit (decorative non-bearing wall veneer); and

WHEREAS, this material was submitted to a committee of the board for test and report; and

WHEREAS, the report of the committee was as follows:

REPORT OF COMMITTEE ON TESTS

Cal. No. 365-38-SM

Subject: Metal-Lithic Building Veneering Unit.

July 18, 1938.

The Metal-Lithic Products Co. filed on May 13, 1938, an application for approval of the material known as the Metal-Lithic Porcelain Building Veneering Unit, a decorative non-bearing wall veneer.

Metal-Lithic Veneering Unit consists of 16 to 20 gauge Porcelain enameled steel panels with hemmed edges bent back 180° with one-eighth inch space between hem and the back of the panel. One inch of concrete is then secured to the back of the panel by means of five 10 gauge metal clips welded to the back of the porcelain enamel steel panel before the porcelaining is done. These clips are embedded into the concrete backing. The veneering unit is attached to the masonry wall by means of metal ties similar to those used for terra cotta, as required under section (8.4.6.1 and 8.4.6.1-2 BC). C 26-437.0 and C 26-437.2, Administrative Code.

The concrete backing on the back of the porcelain enamel panels is composed of one part of Portland cement—one part of sharp sand and two parts of crushed steam cinders cast and vibrated to a dense one-inch slab of light weight concrete. Slots left on all four edges are for inserting the metal ties.

This material was inspected and tested at the plant of the above company at Plainfield, N. J. As a result of this inspection and test, it is recommended that the Metal-Lithic Porcelain Building Veneering Unit be approved for use in New York City, when erected in conformance with sections C 26-437.0, C 26-437.2, Administrative Code (8.4.6.1 BC and 8.4.6.1.2 BC) and sect. C 26-438.0 Administrative Code (8.4.6.2 BC), on condition that the material when marketed in New York City shall have a label or tag reading, "Approved for use in New York City, under Cal. No. 365-38-SM."

(Sgd.) CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Metal-Lithic Building Veneering Unit (decorative non-bearing wall veneer), for use in New York City when constructed, installed and labeled in accordance with above report.

415-38-SM.

APPLICANT—E. A. Swenson, Built-Up Ref. Dept. for The Flintkote Company, owner.

SUBJECT—Flintkote 2 and 3 ply Asphalt felt, slag or gravel surface re-roofing and Flintkote 3 and 4 ply Asphalt felt, slag or gravel roofing, manufactured by The Flintkote Co., approval of.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of the committee on tests.

THE VOTE TO APPROVE MATERIAL—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(415-38-SM)

WHEREAS, E. A. Swenson, agent for The Flintkote Company, owner, filed May 27, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Flintkote 2 and 3 ply Asphalt Felt, slag or grain surface re-roofing and Flintkote 3 and 4 ply Asphalt Felt slag or gravel roofing and mineral surfaced shingles; and

WHEREAS, this material was submitted to a Committee of the Board for test and report; and

WHEREAS, the report of the Committee of the Board is as follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 415-38-SM.

Subject: Flintkote Roofing Material.

July 16, 1938.

The Flintkote Co. of New York, filed with the Board, a request for the approval of various Flintkote roofing material, as hereinafter described, for approval under the tests specified in (10.1.16.2) C26-607.0 AC. This roofing material is manufactured by the applicant at their plant in East Rutherford, N. J., and various deckings with roofing, as hereinafter described, were subjected to brand tests, as follows:

NEW ROOF DECKS

TEST No. 1. 3 ply asphalt and slag specification over 7/8" wood sheathing composed of 1 dry 30 lb. asphalt saturated rag felt and 2-14 lb. asphalt saturated felts mopped solid over the base felt and surfaced with a top pouring of asphalt into which was imbedded a surfacing of slag on the basis of 300 lbs. per 100 sq. ft. of roof area.

The brand burned for 18 minutes with no charring or burning of the combustible decking. (Same as Photo No. 2.) This roofing is also applied in heavier protective coatings as follows:

Specification B-3-W over wood deck. 3 ply asphalt and slag (or gravel) using 1-30 lb. base felt and 2 layers of 14 lb. asphalt felt mopped solid and surfaced with slag or gravel, with the alternative that in place of the 30 lb. asphalt felt 2 layers of 14 or 15 lb. felt may be used as the base felt.

Specification A-3-W over wood deck. 4 ply asphalt and slag (or gravel) using 1-30 lb. asphalt felt as base felt with 3-14 lb. felts mopped solid, surfaced with slag or gravel, with the alternative that in place of the 30 lb. asphalt felt 2 layers of 14 or 15 lb. felts may be used as the base felt.

Specification B-3-C over non-combustible deck, or over rigid insulation. 3 plies of 14 lb. asphalt all mopped solid and surfaced with slag or gravel.

Specification A-3-C over non-combustible deck, or over rigid roof insulation. 4 plies of 14 lb. asphalt felt all mopped solid and surfaced with slag or gravel.

These roofings are limited to roofs where the slope does not exceed 3 inches per foot.

TEST No. 2. 4 ply pitch and slag specifications over 7/8" wood sheathing composed of one layer of rosin sized sheathing paper, 2 layers of dry 14 lb. tarred felts and 2 subsequent layers of 14 lb. tarred felts mopped solid over the base felt and surfaced with a top pouring of pitch into which was embedded a surfacing of slag on the basis of 300 lbs. per 100 sq. ft.

The brand burned for 24 minutes with no charring or burning of the combustible decking. (Photo No. 2.) This roofing is also applied in heavier protective coating, as follows:

Specification B-4-W over wood deck. 4 ply 14 lb. tarred felt and pitch over wood deck with slag or gravel surfacing.

Specification A-4-W over wood deck. 5 ply 14 lb. tarred felt and pitch over wood deck with slag or gravel surfacing.

Specification B-4-C over non-combustible deck, or over rigid roof insulation. 4 ply 14 lb. tarred felt and pitch over non-combustible deck with slag or gravel surfacing.

These roofings are limited to roofs where the incline does not exceed 2 inches per foot.

TEST No. 3. Smooth surfaced asphalt specification with 34 lb. cap sheet surfacing composed of 1-30 lb. asphalt felt base sheet and 2-14 lb. asphalt felt mopped solid, surfaced with 1-34 lb. Knickerbocker Cap Sheet mopped solid.

This brand was slow burning and lasted for 45 minutes with a depth of charring of 3/32 inch over an area of 18 sq. in. (Photo No. 3.) The tests met the requirements for acceptance, the slight charring being due to the length of time required for the brand to be consumed. This roofing is also applied in heavier protective coating, as follows:

Specification C-1-W-C over wood deck. 1-30 lb. asphalt base felt, 2-14 or 15 lb. asphalt felts, 1-34 lb. Knickerbocker Cap Sheet, all cemented in asphalt except base sheet which is laid dry and nailed.

Specification C-1-C-C over non-combustible decks, or over rigid roof insulation. 3 ply 14 lb. asphalt felt all mopped solid with 1-34 lb. Knickerbocker Cap Sheet cemented in asphalt.

These roofings are limited to roofs where the incline does not exceed 3 inches per foot.

TEST No. 4. Smooth surfaced asphalt specification with 34 lb. Cap Sheet surfaced with additional application of a top coating of emulsion composed of 1-30 lb. asphalt felt base sheet and 2-14 or 15 lb. asphalt felts mopped solid, and then surfaced with 1-34 lb. Knickerbocker Cap Sheet mopped solid, and then over the cap sheet coat surface with Flintkote emulsion roofing coating using not less than 3 gallons per 100 sq. ft.

The brand was consumed in 43 minutes and because of the slow burning, resulted in a charring effect on the combustible decking to a depth of 1/16 inch and on an area of 15 sq. in., but meeting the requirements of the test. (Photo No. 4.) This roofing is furnished with additional emulsion finish as follows:

Specification C-1-W-C (as above) with additional emulsion finish.

Specification C-1-C-C (as above) with additional emulsion finish.

TEST NO. 5. 19" selvage edge mineral surfaced rex construction specification over 7/8" wood sheathing composed of 2 layers of 14 or 15-lb. asphalt felt laid dry, over which 2 plies of 55 lb. rex construction mineral surfaced roofing is mopped solid to dry felts and to each other between the 19" selvage lap.

The brand was consumed in 19 minutes with no effect on the combustible decking. (Photo No. 5.) These roofings are limited to roofs where the incline does not exceed 9 inches per foot and are also applied in heavier protective coatings, as follows:

Specification C-2-W over wood deck. 2 plies 15 or 15 lb. felt laid dry, 2 layers 55 lb. mineral surfaced Rex Construction roofing mopped solid over base felts.

Specification B-2-W over wood deck. 1 ply 14 lb. dry felt, 2 layers 14 lb. felt mopped solid and 2 layers 55 lb. Rex Construction mineral surfaced roofing.

Specification C-2-C over non-combustible deck, or over rigid roof insulation. 1-14 lb. asphalt felt mopped solid to deck and 2 layers 55 lb. Rex Construction mineral surfaced roofing mopped solid over the first two layers of felt.

TEST NO. 6. 75 lb. mineral surfaced cap sheet specification over 7/8" wood sheathing composed of 1-30

lb. asphalt felt laid dry,—1-14 or 15 lb. asphalt felt mopped solid, and 1-75 lb. mineral surfaced roofing felt mopped solid.

The brand was consumed in 16 minutes with no effect on the combustible decking. (Photo No. 6.) This specification is also applied over *non-combustible deck.*

TEST NO. 7. Combination asbestos specification over 7/8" wood sheathing composed of 1-30 lb. asphalt felt laid dry and 2-15 lb. asbestos felts mopped solid, surface coated with 25 lbs. of asphalt or asphaltic compound.

The brand was consumed in 15 minutes with no effect on the combustible wood decking (Photo No. 7). Similar roofings are applied in heavier protective coatings and limited to roofs where the incline does not exceed 9 inches per foot.

Specification C-5-C (Combination) over non-combustible deck. 1-30 lb. base felt, 2-20 lb. asbestos felts mopped solid, surfaced with asphalt or asphaltic compound.

Specification C-5-W (Combination) over non-combustible deck. 1-30 lb. asphalt felt, 2-20 lb. asbestos felts mopped solid, surfaced with asphalt.

Specification C-5-I over rigid insulation on either wood deck or non-combustible. 2-20 lb. asbestos felts mopped solid over rigid insulation.

Specification B-5-W (Combination) over wood deck. 1-45 lb. base felt, 2-20 lb. asbestos felts mopped solid and surfaced with asphalt or asphaltic compound.

Specification B-5-C (Combination) over non-combustible deck. 1-45 lb. base felt, 2-20 lb. asbestos felts mopped solid and surfaced with asphalt or asphaltic compound.

Specification B-5-I over rigid insulation on either wood deck or non-combustible. 3-20 lb. asbestos felts mopped solid and surfaced with asphalt or asphaltic roof coating.

Specification A-5-W (All asbestos) over wood deck. 1-55 lb. asbestos felt, 2-20 lb. asbestos felts, mopped solid, surfaced with asphalt.

Specification A-5-C (Combination) over non-combustible deck. 1 layer 45 lb. base felt or 2 layers 15 lb. felt mopped solid and 3 layers of 20 lb. asbestos felts surfaced with asphalt.

Specification A-5-C (All asbestos) over non-combustible deck. 1-55 lb. asbestos felt, 2 layers 20 lb. asbestos felt, all mopped solid and surface coated with asphalt or asphaltic compound.

Specification A-5-I (over insulation) over wood or non-combustible decks. 4 layers 20 lb. asbestos felt surfaced with asphalt or asphaltic compound.

TEST NO. 7A. Smooth-surfaced asphalt felt specification over 7/8" wood sheathing composed of 1 30-lb. asphalt felt laid dry, 2 14 or 15-lb. asphalt felt surface coated with 25 lbs. of asphalt.

The brand was consumed in 20 min. 30 sec. with no effect on the combustible decking (photo 7A) similar roofings are applied in heavier protective coatings with inclines and nailing as follows:

Specification C-1-C over non-combustible deck. 3-14 lb. asphalt felts mopped solid over non-combustible deck, surfaced with 25 lbs. of asphalt. Incline up to 3" per foot, and if definite nailing can be provided, up to inclines of 6" per foot.

Specification B-1-W over wood deck. 1-30 lb. base felt, 3 14-lb. asphalt felts mopped solid with 25-lb. surface coating of asphalt. Incline up to 6" per foot.

Specification B-1-C over non-combustible deck. 4-14 felts mopped solid and surface coated with 25 lbs. of asphalt. Incline up to 3" per foot, and if definite, nailing can be provided, up to inclines of 6" per foot.

Specification A-1-W over wood deck. 1-30 lb. base sheet and 4-14 lb. asphalt felts all mopped solid, surface coated with 25 lbs. of asphalt. Incline up to 6" per foot.

Specification A-1-C over non-combustible deck. 5 14-lb. felts all mopped solid over non-combustible deck and surfaced with 25 lbs. of asphalt. Incline up to 3" per foot, and if definite, nailing can be provided, up to inclines of 6" per foot.

RE-ROOFING

TEST NO. 8. Asphalt and slag re-roofing specification over old existing roof over wood sheathing composed of 2 14-lb. asphalt felts mopped solid over one layer of old existing roofing felts with asphalt. Top pouring of asphalt into which is embedded slag on the basis of 300 lbs. per 100 sq. ft. of roof area. Incline limited to 1/4" up to 3" per foot. The brand was consumed in 15 minutes with no effect on the combustible decking. (Photo No. 8.)

TEST NO. 9. Pitch and slag re-roofing specification over old existing roof over wool sheathing composed of 2 plies of 14-lb. tarred felt mopped solid over old roofing felts with pitch. Top pouring of pitch into which was embedded slag on the basis of 300 lbs. per 100 sq. ft. of roof area. Incline 1/4" up to 2" per foot.

The brand was consumed in 21 minutes with no effect other than the melting of the pitch on the wood decking. (Photo No. 9.)

TEST NO. 10. 34-lb. Knickerbocker Cap Sheet re-roofing specification over old existing roofing felts over wood deck. 1 34-lb. cap sheet mopped solid over old roofing felts with asphalt. Incline limited to 1/4" up to 3" per foot.

The brand was consumed in 17 min. with but a slight charring effect on the combustible decking (photo No. 10).

TEST NO. 11. 34 lb. Knickerbocker Cap Sheet re-roofing specification with emulsion finish. 1-34 lb. cap sheet mopped over old roofing with asphalt and surface coated with Flintkote Emulsion using not less than 3 gallons per 100 sq. ft. Incline limited to 1/4" to 3" per foot.

The brand was consumed in 18 minutes with no effect on the combustible decking. (Photo No. 11.)

TEST NO. 12. 19" selvage rex construction mineral surface reroofing specification over old existing roofing over wood deck composed of 2 layers of Rex Construction roofing mopped solid over old felts and cemented between laps with asphalt. Incline up to 9" per foot.

The brand was consumed in 17 min. with no effect on the combustible decking. (Photo No. 12.)

TEST NO. 13. 75 lb. Mineral Surface reroofing. Specification over old existing roofing over wood deck, composed of 1-15 lb. asphalt felt mopped solid over old base felt and 1-75 lb. mineral surfaced roofing. Incline limited to 3" per foot.

The brand was consumed in 16 min. with no effect on the combustible decking. (Photo No. 13.)

TEST NO. 14. Asbestos reroofing specification over old existing roof felts over wood deck. 2-15 lb. asbestos felts mopped solid over old felts and coated with 25 lbs. of asphalt. Incline limited 1/4" to 6" per foot.

The brand was consumed in 18 min. with no effect on the combustible decking. (Photo No. 14.)

Approval for reroofing is recommended where any similar types of roofing specifications including the aforementioned number of felt plies are included.

MINERAL SURFACED ASPHALT SHINGLES

TEST No. 15. This roofing consists of a Flintkote 11 1/3" hexagonal shingle applied over 7/8" wood sheathing limited to an incline of 4" or more per horizontal foot and to be used in the roofing and reroofing of residence building not more than 2 1/2 stories high.

11 1/3" *Special Hexagon Strip Shingles.* Provides 2 layer construction over 76% of roof area.

Average weight per square..... 167 lbs.
Strips per square 86
Underwriters' Label C.

The Brand was consumed in 25 min. with a slight wood charring less than 1.32" in depth over an area 3 sq. in. (Photo No. 15.) Additional heavier roofing of the same material is as follows:

12⅓" *Special Hexagon Strips.* Provides 2 layer construction over 89% of roof area.
Average weight per square..... 185 lbs.
Strips per square 86
Underwriters' Label C.

13½" *Giant Hexagon Strips.* Provides 2 layer construction over 85% of roof area.
Average weight per square..... 230 lbs.
Strips per square 76
Underwriters' Label C.

TEST No. 16. Flintkote 12" Thikbut Mineral Surfaced Strip Shingles over ⅞" wood sheathing. Incline 4" per foot or more to be used on new roofs or reroofing of residences not more than 2½ stories high.

The brand was consumed in 20 min. with no effect on the combustible decking. (Photo No. 16.) The following specifications are similar to this material except as to design and shape:

12"*Thikbut Strips.* Provides 2 layer construction over entire roof area except where cut out occurs.
Average weight per square..... 210 lbs.
Strips per square ....
Underwriters' Label C.

12"x36" *Standard Setab Strips.* Provides 2 layer construction over entire roof area.
Average weight per square..... 230 lbs.
Strips per square 80
Underwriters' Label C.

Insul Cork Strips 12"x36". Provides 2 layer construction over entire roof area.
Average weight per square..... 210 lbs.
Strips per square 80
Underwriters' Label C.

10" *Rextab Strips.* Provides 2 layer construction over roof area.
Average weight per square..... 190 lbs.
Strips per square 100
Underwriters' Label C.

10" *Square Butt Strips.* Provides 2 layer construction over entire roof area.
Average weight per square..... 210 lbs.
Strips per square 100
Underwriters' Label C.

12" *Giant Strips.* Provides 2 layer contruction over entire roof area.
Average weight per square..... 257 lbs.
Strips per square 80
Underwriters' Label C.

12½" *Square Butt Strips.* Provides 3 layer construction over entire roof area.
Average weight per square..... 266 lbs.
Strips per square 100
Underwriters' Label C.

9x12½" *Standard Individual Shingles 4" Exposure.* Provides 3 layer construction over entire roof area.
Average weight per square..... 253 lbs.
Shingles per square 379
Underwriters' Label C.

12x16" *Super Giant Shingles 5" Exposure.* Provides 3 layer construction over entire roof area.
Average weight per square..... 325 lbs.
Shingles per square 226
Underwriters' Label C.

TEST No. 17. Flintkote 17"x17" Mineral Surfaced shingles applied over a 15# asphalt felt over a ⅞ combustible decking and used on reroofing and roofs of residence buildings not more than 2½ stories in height with additional details as follows of materials of similar specifications:

Shurlok Shingle, 16"x20". Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square..... 138 lbs.
Shingles per square 70

Staple-Lox Shingles, 16"x16". Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square..... 138 lbs.
Shingles per square 82
Underwriters' Label C.

Flintlock, 17"x17". Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square..... 138 lbs.
Shingles per square 77
Underwriters' Label C.

Dutch Lap Giant Shingles, 12"x16". Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square..... 138 lbs.
Shingles per square 113
Underwriters' Label C.

The brand on the Flintlock 17"x17" shingle was consumed in 20 min. 50 sec. with a complete burning of the shingle and with a slight penetration through the asphalt felt with a resulting slight charring over an area of 10 sq. in. These roofings, Shurlok, Staple-Lox, Flintlock and Dutch Lap Giant, are recommended for use over not less than a 30# saturated rag felt on new roofs and for reroofing without any additional protection.

On the basis of these tests, it is recommended that the various specification roofing as manufactured by the Flintkote Co. at East Rutherford be approved under (10.12.11) C26-680 AC and (10.1.16), Group 16, Art. 11 AC, titled Fire Restrictive Construction, for use as a roofing material under the specifications listed herein and under such limitations as are applied to each specific roofing. It is also recommended that the roofing material, when used in New York City, shall be marked or labelled on each roll: "Approved by the Board of Standards and Appeals, Cal. No. 415-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Flintkote Roofing Material and the Flintkote Mineral Surfaced Shingles, as specified and under the conditions set forth in the above report.

432-38-SM.

APPLICANT—Lehigh Portland Cement Company, owner.
SUBJECT—Lehigh Mortar Cement, manufactured by Lehigh Mortar Cement, approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Material approved in accordance with report of the committee on tests.
THE VOTE TO APPROVE MATERIAL—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0

THE RESOLUTION—

(432-38-SM)

WHEREAS, Lehigh Portland Cement Company, owner, filed June 1, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Lehigh Mortar Cement; and

WHEREAS, this material was submitted to a committee of the Board for test and report; and

WHEREAS, the report of the committee of the board is as follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 432-38-SM.
Subject: Lehigh Mortar Cement.

July 14, 1938.

The Lehigh Portland Cement Company of New York, filed with the board on June 1, 1938, a request for the approval of their material known as Lehigh Mortar Cement for use as a mortar under the pertinent sections of the administrative code for this type of material.

MINUTES

This material is composed of Portland Cement, clinker, gypsum and screened limestone, ground intimately together. Tallow containing free fatty acids is then added as a waterproofing agency. A flow sheet showing the process of manufacture and an estimate of the supply of raw materials on hand indicate that the homogenity of this product can be maintained for at least 20 years. This material was tested by the board at the plant of the manufacturer at Ormond, Pa., on July 7, 1938, and supplemented with a chemical analysis furnished by the applicant, with results as follows:

Test for	*Mfrs. Test.*	*Fed. Spec. SS 181a*
Fineness	99.8%	Minimum 88%
Setting (Initial	4 hrs. 15 min.	Minimum 60 min.
Time (Final	6 hrs. 30 min.	Maximum 48 hrs.
Soundness	Sound	Sound
Compressive		
Strength (7 days	1213 p.s.i.	500 p.s.i.
2" cubes (28 days	1359 p.s.i.	1000 p.s.i.
Water retention	77%	Minimum 65%
Water repellancy	0.30	Maximum 0.90
Tensile (7 days	227 p.s.i.	———
Strength (28 days	259 p.s.i.	———

In addition to these tests, a test was performed in accordance with A.S.T.M. C91-32T, with results as follows: 7 days, 1901 p.s.i., as against 275 p.s.i. minimum required and for 28 days, 2376 p.s.i., as against no less than 275 p.s.i. required.

The tension tests were performed on a Riehle Tension Testing machine and the compression tests were performed in a Southwick Emery hydraulic machine, capacity 90,000 lbs.

These tests fully meet the requirements of A.S.T.M. C91-32T and the Federal Specifications SS-C181a, SS-C181b, and it is accordingly recommended that Lehigh Mortar Cement, as manufactured by the Lehigh Portland Cement Co., Allentown, Pa., be approved for use in New York City as a masonry mortar under sections C-26-312.0, Paragraph 2, of the Administrative Code (7.1.1.7.3) and C26-314.0) Administrative Code (7.1.1.9). This material is not to be accepted as a substitute for cement mortar under sections C26-418.0 of the administrative Code (8.4.1.6), but its use may be permitted where mortar other than cement mortar is permitted. This material is packed in 70-lb. paper bags, each bag containing one cubic foot.

It is recommended that the bags in which this material is marketed be labeled or marked "Approved by the Board of Standards and Appeals under Cal. No. 432-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Lehigh Mortar Cement, for use in New York City, when manufactured, used and labeled, in accordance with the above report.

437-38-SM.

APPLICANT—C. D'W. Gibson, for Air Reduction Sales Company, owner.

SUBJECT—Approval of Airco Welding Electrodes, Nos. 78, 79, 81, 83, 87 and 90, manufactured by Air Reduction Sales Company.

APPEARANCES—

For Applicant: A. N. Kugler and J. D. McNamara.

ACTION OF BOARD—Material approved in accordance with report of the committee on tests.

THE VOTE TO APPROVE MATERIAL—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0

THE RESOLUTION—

(437-38-SM)

WHEREAS, C. D'W. Gibson, for Air Reduction Sales Company, owner, filed June 1, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Airco Welding Electrodes, Nos. 74, 78, 79, 81, 83, 87 and 90; and

WHEREAS, this material was submitted to a Committee of the Board for test and report; and

WHEREAS, the report of the Committee of the Board is as follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 437-38-SM.
Subject: Airco Welding Electrodes,
Nos. 74, 78, 79, 81, 83, 87 and 90.

July 18, 1938.

On June 1, 1938, C. D'W. Gibson, for Air Reduction Sales Company, owner, filed an application for approval of Airco Welding Electrodes, Nos. 74, 78, 79, 81, 83, 87 and 90.

A Committee of the Board witnessed the making up of the All Weld Metal Tension Test samples at the plant of the Wilson Welder and Metals Co., North Bergen, N. J. The base metal plates were in accord with A.S.T.M. specification A-7-36 and were bevelled as required for the welds, in accordance with A.S.T.M. specification A-205-37-T. Samples were made up with Airco Welding Electrodes No. 90 by alternating current process, using AC transformer welders. Specimens were made up with Airco welding rods Nos. 78, 79, 81, 83, 87 and 90 by direct current process, using motor generator sets. After machining, specimens were delivered to Pittsburgh Testing Laboratory and tested for tension and elongation on July 11, 1938, at the said Laboratories, on a Tinius Ohlsen Testing Machine of 100,000 lbs. capacity. Yield points were determined by the "Drop of Beam Method" and check by the "Total Strain Method Using Dividers."

RESULT OF TESTS

Specimens made by direct current process, using motor generator sets.

Specimen No.	*Rod No.*	*Rod Size*	*Grade No.*	*Position of Weld*	*Beads*	*Tensile Strength P.S.I.*	*% Elongation in 2 inches*
F78A	78	1/8"	10	Flat	3	69,389	27
V78A	78	1/8"	10	Vertical	3	68,979	27
*O78A	78	1/8"	10	Overhead	3	70,816	—
*F78B	78	5/32"	10	Flat	5	68,650	19
V78B	78	5/32"	10	Vertical	6	65,750	32.5
O78B	78	5/32"	10	Overhead	6	66,350	26
F78C	78	3/16"	10	Flat	5	68,400	24
V78C	78	3/16"	10	Vertical	5	64,500	34
O78C	78	3/16"	10	Overhead	5	64,500	29
*F78D	78	1/4"	10	Flat	4	72,500	18
*V79C	79	3/16"	10	Vertical	5	61,000	—
O79C	79	3/16"	10	Overhead	5	68,400	24
F81B	81	5/32"	10	Flat	9	66,000	28
F81C	81	3/16"	10	Flat	9	66,800	28.5
F83B	83	5/32"	10	Flat	9	67,750	34
F83C	83	3/16"	10	Flat	8	66,000	34.5
F87B	87	5/32"	10	Flat	7	70,000	28.5
V87B	87	5/32"	10	Vertical	6	70,750	29
O87B	87	5/32"	10	Overhead	6	68,500	23
F90B	90	5/32"	10	Flat	8	69,200	26.5
V90B	90	5/32"	10	Vertical	7	71,000	28
O90B	90	5/32"	10	Overhead	6	73,750	27

* These specimens were the subject of a re-test with the following results:

Specimen No.	*Tensile Strength*	*% Elongation in 2 in.*
O78A	70,816 P.S.I.	25.0
F78B	71,000 P.S.I.	29.0
F78D	68,250 P.S.I.	28.0
V79C	65,500 P.S.I.	22.5

Specimens made by alternating current process, using A.C. Transformer Welders.

Specimen No.	*Rod No.*	*Rod Size*	*Grade No.*	*Position of Weld*	*Beads*	*Tensile Strength P.S.I.*	*% Elongation in 2 inches*
O90B1	90	5/32"	10	Overhead	6	72,500	24.5
F90B1	90	5/32"	10	Flat	8	71,500	26.5
V90B1	90	5/32"	10	Vertical	7	74,300	28

Specimen V79C and 078A broke outside punch

mark. In all cases the rupture was clean and an inspection of the broken cross-sections showed a complete absence of voids and slag inclusions. All samples met the requirements of the American Welding Society for No. 10 grade, which specifies a working stress of at least 60,000 lbs. per sq. in. and a minimum elongation of 20% for non-stress relieved specimens.

Airco Electrodes Nos. 78 and 79 (Reverse Polarity), all positions, Nos. 81 and 83 (Straight Polarity for flat position only), Nos. 87 and 90 (Straight Polarity for all Positions, for direct current welding, No. 90 Electrodes were tested for use with alternating current in all positions. Airco Electrode No. 74 was withdrawn by the applicant.

It is recommended that Airco Electrodes, Nos. 78, 79, 81, 83, 87 and 90 be approved for use in positions and with current as mentioned above when manufactured in sizes of ⅛", 5/32" 3/16" and ¼", all rods to be made in standard lengths, coated with heavy flux coating and packed in bundles, marked, labelled or stamped, indicating the name, grade, polarity, and position, and bearing the following notice: "Approved by the Board of Standards and Appeals under Cal. No. 437-38-SM."

(Sgd.) BERNARD A. SAVAGE,
CHARLES M. BLUM,
Commissioners.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Airco Welding Electrodes, Nos. 78, 79, 81, 83, 87 and 90, for use in New York City when manufactured, used and labeled in accordance with above report.

486-38-SM.

APPLICANT—The Lincoln Electric Company, owner.

SUBJECT—Lincoln Welding Electrodes, Fleetweld, Nos. 5 and 7 and Shield Arc. No. 85, manufactured by the Lincoln Electric Company, approval of.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of the committee on tests.

THE VOTE TO APPROVE MATERIAL—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0

THE RESOLUTION—

(486-38-SM)

WHEREAS, the Lincoln Electric Company, owner, filed June 13, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Lincoln Welding Electrodes, Fleetweld, Nos. 5 and 7 and Shield Arc No. 85; and

WHEREAS, the material was submitted to a committee of the board for test and report; and

WHEREAS, the report of the committee was as follows:

REPORT OF COMMITTEE ON TESTS

July 19, 1938

Re: Cal. No. 486-38-SM.

Subject: Lincoln Fleetweld No. 5, Fleetweld No. 7 Welding Electrodes.

On June 13, 1938, the Lincoln Electric Company filed an application for approval of Fleetweld No. 5 and Fleetweld No. 7 welding rods.

A Committee of the Board witnessed the making up of the all-weld metal tension test samples at the applicant's welding shop, No. 330 West 42nd street (basement) on July 8th and July 13th, 1938. Samples were made up with Fleetweld No. 5 (reversed polarity) and Fleetweld No. 7 (straight polarity) 5/32" rods.

REVERSED POLARITY:

Specimens were made of Fleetweld No. 5 rods 5/32" as follows:

1. Overhead	19 beads	Marked F W 5 O H
2. Horizontal	8 beads	Marked F W 5 F
3. Vertical	7 beads	Marked F W 5 V

and similarly for straight polarity, as follows, on Fleetwood No. 7 rods 5/32":

1. Overhead	18 beads	Marked F W 7 O H
2. Horizontal	8 beads	Marked F W 7 F
3. Vertical	8 beads	Marked F W 7 V

The base plates were bevelled as required for the welds in accordance with A.S.T.M Specifications A-7-36.

Samples were not stress relieved and were subject to a tensile test at the Robert W. Hunt Company Laboratory.

RESULT OF TEST

Reverse Polarity Specimens.

Specimen No.	*Tensile Strength*	*Percentage of Elongation in 2"*
F W 5 0 H	69520 lbs. sq. in.	20.5
F W 5 F	69270 lbs. sq. in.	27.5
F W 5 V	65970 lbs. sq. in.	24.5

Specimen No.	*Tensile Strength*	*Percentage of Elongation in 2"*
F W 7 0 H	76930 lbs. sq. in.	16.0*
F W 7 F	74160 lbs. sq. in.	25.0
7 W 7 V	73850 lbs. sq. in.	23.0

*This specimen was the subject of a re-test with the following results:

Specimen No.	*Rod No.*	*Tensile Strength*	*Percentage of Elongation in 2"*
07-1	7	67600 P.S. I.	20.30
07-2	7	69130 P.S. I.	23.45

In all cases the rupture was clean and an inspection of the cross section showed a complete absence of voids and slag inclusions.

All samples met the requirements of the American Welding Society for No. 10 grade which specifies a working stress of 60,000 lbs. per square inch and an elongation of 20 per cent for non-stress relieved specimens.

Shield Arc 85 Electrode was withdrawn by the applicant.

It is accordingly recommended that Fleetweld No. 5, 5/32" welding rods, manufactured by the Lincoln Electric Company, Cleveland, Ohio, be approved for use in New York City in overhead, flat and vertical position when used with reversed polarity and that Fleetweld No. 7, 5/32" welding rods be approved for use in New York City in overhead, flat and vertical position when used with straight polarity. Both rods to be approved as meeting the requirements for Grade No. 10 and of Rule 7, subdivision 2, of the Welding Rules of the Board of Standards and Appeals.

All rods to be in standard lengths coated with a heavy flux coating and packed in bundles marked, labeled or stamped, indicating the name and grade and bearing the following notice: "Approved by the Board of Standards and Appeals for use with direct current, under Cal. No. 486-38-SM"; the No. 5 rod to bear this additional wording on the label: "For use with reversed polarity in all positions"; and the No. 7 rod to bear this additional wording on the label: "For use with straight polarity in all positions."

(Sgd.) BERNARD A. SAVAGE,
CHARLES M. BLUM,
Commissioners.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the materials known as Lincoln Welding Electrodes, Fleetweld, No. 5 and Fleetweld No. 7, for use in New York City, *on condition* that the material be manufactured, used and labeled in accordance with the above report.

508-38-SM.

APPLICANT—A. L. O'Brien, of The American Brass Company, for Edward J. Walsh, owner.

SUBJECT—Approval of Walsh Waterproofing Method, manufactured by Edward J. Walsh.

APPEARANCES—

For Applicant: Edward J. Walsh.

ACTION OF BOARD—Material approved in accordance with report of the committee on tests.

THE VOTE TO APPROVE MATERIAL—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan	4
Negative	0
Absent	0

THE RESOLUTION—

(508-38-SM)

WHEREAS, A. L. O'Brien, for Edward J. Walsh, owner, filed June 20, 1938, an application with the Board of Standards and Appeals for approval of the method of construction known as the Walsh Waterproofing Method; and

WHEREAS, this method of construction was submitted to a committee of the board for test and report; and

WHEREAS, the report of the committee of the board is as follows:

REPORT OF COMMITTEE ON TESTS

Cal. No. 508-38-SM.

Subject: Walsh Waterproofing Method.

July 19, 1938.

A. L. O'Brien, for the American Brass Co., on behalf of Edward J. Walsh, owner, filed June 20, 1938, an application with the Board of Standards and Appeals, for approval of the method of construction known as the Walsh Waterproofing Method.

This method of construction consists of the provision of a waterproofing membrane composed of sheet copper weighing not less than 2 ounces per sq. ft., backed up with sisalkraft waterproof building paper, the paper being fastened to the copper by a specially prepared asphalt binder. On parapet walls, the waterproofing membrane is laid under a copper cap which covers the embedded brick course under the coping to a depth not less than 5 inches on both sides. The brick course directly below the coping on the face brick side is provided with copper anchors riveted to a copper sheet, these anchors extending frontward not less than 3½ inches into the mortar joint. They are 1 inch in width, perforated with 3 holes to secure bond to the mortar. These anchors are provided every 8 inches, excepting that each 3rd anchor is double-sized, provided with a copper weep hole with a filler of jute to prevent mortar from filling hole and, also, to prevent crushing during construction. The rear anchors extend into the masonry backing for a distance of not less than 8 inches with not less than 5 perforations to secure bond to mortar. Both anchors are mounted on a copper sheet 5 inches in height and may be extended to any desired length, and are securely riveted with buttonhead to the copper sheet, and rivet bearing is provided by at least ½ inch dia. washers. The waterproofing membrane is then placed behind the 10 oz. copper sheet and extended downward to the next bond course where anchors similar to the aforementioned are again provided. The construction extends along the face of the building to the base course and is continued similarly on the inside face of the parapet until it meets the counterflashing of 10 oz. copper. This counterflashing meets the roof flashing which is made of the same material of the same thickness. The membraneous material is continued behind the bond course of brick. At the top of each bond course, waterproof sheets, consisting of 10 oz. copper with anchors, as previously described, are provided. This copper sheet is placed over the bonding course and waterproof membrane is then applied in a manner so that any water that may penetrate shall be deflected downward. For use at water tables and over openings, a copper sheet with anchors riveted thereto, extending vertically into the brick work for not less than 2 inches and made of such width as to suit the job requirements with copper weep hole anchors 24 inches on centers shall be provided. The copper sheet for use over *header courses* of brick consists of 10 oz. copper Zee shaped with a side extending downward, 2 inches in length and extending upward 3 inches in length into the masonry with anchors of copper fastened and perforated to secure grip in the mortar. The single anchors on the face brick side are 3½ inches in length by 1 inch in width, of 10 oz. copper, while the anchors with weep holes are 3½ by 2¼ inches. These double anchors with weep holes shall be spaced 24 inches on centers.

This method of construction is also used in brick veneer construction where the anchors are nailed to the studs through a kerf cut in the siding and the waterproof membrane tacked to the sheathing with copper nails and the anchors to be extended into the veneer brickwork, as required by the code for brick veneer masonry. This upper membrane at the intersecting seam shall be backed with the copper sheet previously described, made of 10 oz. copper and provided with anchors in the masonry, and for fastening to the studs 16 inches on centers and with the copper sheet not less than 4 inches in height, with weep holes not less than 24 inches on centers.

This method of construction was tested at Peekskill, New York, where a sample of wall with parapet was erected (see photograph filed with this record). A hose stream was applied to the weather surface of this wall, after which the face brick course was removed and on removal of the Walsh waterproofing membrane, the back up masonry was found to be thoroughly dry.

On the basis of this test, it is recommended that the Walsh Waterproofing Method be approved for use as a waterproofing in masonry construction for use *only* with *Portland cement mortar free of lime* and that each installation shall be supervised. This form of construction shall be in accordance with the details of this report, in accordance with drawings filed, and in accordance with (8.4 BC) Art. 9, Sub. Art. 4, Masonry Construction A.C. in buildings not exceeding six stories in height, of all classifications, where walls are not less than 12 inches in thickness and not limiting its use in frame and brick veneer walls, where the copper sheet is nailed to the studs and anchored in masonry with the membrane, copper nailed to sheathing. When used in New York City, each roll of membrane waterproofing and each strip of 10 oz. copper sheet with anchors riveted, shall be stamped, labeled or marked "Approved by the Board of Standards and Appeals, Cal. No. 508-38-SM." for use in masonry laid up in portland cement mortar *free of lime*.

(Sgd.) BERNARD A. SAVAGE,
CHARLES M. BLUM,
Commissioners.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the method of construction known as the Walsh Waterproofing Method, for use in New York City, under the specifications and conditions set forth in the above report, and the marking adopted, shall be approved by the Chairman, on behalf of the Board.

546-38-SM.

APPLICANT—North American Cement Company, owner.

SUBJECT—Blue Streak High Early Strength Portland Cement, approval of.

MINUTES

APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Material approved in accordance with report of the committee on tests.
THE VOTE TO APPROVE MATERIAL—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0

THE RESOLUTION—

(546-38-SM)

WHEREAS, North American Cement Company, owner, filed June 27, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Blue Streak High Early Strength Portland Cement; and

WHEREAS, this material was submitted to a committee of the board for test and report; and

WHEREAS, the report of committee of the board is as follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. 546-38-SM.
Blue Streak High Early Strength Portland Cement.
July 19, 1938.

The North American Cement Company of Catskill, N. Y., filed with the Board of Standards and Appeals a request for the approval of the use of *Blue Streak* High Early Strength Portland Cement under (7.1.1.7.3. C26-312.0a A. C. This material, the manufacture of which is identical to that described for North American Portland Cement in Cal. 124-38-SM, is a perfected high early strength Portland Cement made to develop sufficient hardness so as to permit its use in 24 hrs.

Tests were conducted on this material at the plant of the manufacturer at Catskill, N. Y. on July 15, 1938, with results as follows:

CHEMICAL COMPOSITION

Blue Streak Portland Cement		*Fed. Spec. SS-C-201*
Loss on ignition	1.19	3.0
Insoluble Residue	.07	0.75
Sulphuric Annhydride	2.43	2.50
Alumina	3.58	5.00
Magnesia	1.58	7.50
Iron Oxide	4.14	6.00
Tricalcium Aluminate	....	15.00
Soundness	Satisfactory	shall be satisfactory
Initial set	1 hr. 45 min.	not less than 45 min.
Final set	3 hrs. 15 min.	(vicat needle)
Fineness 200 m.% passing	99.8	within 10 hours
Specific surface area	2740 sq. sm.	not less than 1900 sq. cm. per gr.

	Tensile Strength			*Compressive Strength*		
	Test Result 9 spec. P.S.I.	Federal Specif. 3 spec. P.S.I.	A.S.T.M. C-74-36 3 spec. P.S.I.	Test Result 5 spec. P.S.I.	Federal Specif. 3 spec. P.S.I.	Strength A.S.T.M. Specif. 3 spec. P.S.I.
1 day	351	275	275	1722	1300	1250
3 days	448	375	375	3850	2500	3000
28 days	522	——	375 plus	6300	——	3000 plus

On the basis of the foregoing tests which meet the requirements of A.S.T.M.-C-74-36 and Federal Specifications SS-C-201, for high early strength cement, it is recommended that Blue Streak High Early strength Portland Cement as manufactured by the North American Cement Corporation at Catskill, N. Y. be approved for use in New York City in accordance with the requirements of C-26-312.0c A.C. (7.1.1.7.3). This material is marketed in paper and cloth bags each provided with a sealing strip of the same material sewed on to the bags, and in bulk, and when packed in paper and cloth bags for use in New York City, it shall be tagged, labeled or marked "Approved by the Board of Standards and Appeals under Calender No. 546-38-SM" and when marketed in bulk for use in New York City, its bill of lading shall be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Blue Streak High Early Strength Portland Cement, for use in New York City under the conditions set forth in the above report.

578-38-SM.
APPLICANT—Nordlinger, Riegelman and Cooper for Hy-Test Cement Company, owner.
SUBJECT—Hy-Test Cement, approval of.
APPEARANCES—
For Applicant: L. A. Halperin and Rudolph P. Miller.
ACTION OF BOARD—Material approved in accordance with report of the committee on tests.
THE VOTE TO APPROVE MATERIAL—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Heffernan 4
Negative 0
Absent 0

THE RESOLUTION—

(578-38-SM)

WHEREAS, Nordlinger Riegelman & Cooper, for Hy-Test Cement Company, owner, filed July 7, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Hy-Test Cement; and

WHEREAS, this material was submitted to a Committee of the Board for test and report; and

WHEREAS, the report of Committee of the Board is as follows:

REPORT OF COMMITTEE ON TESTS

Cal. No. 578-38-SM.
Subject: Hy-Test Cement (Mortar).
July 12, 1938.

The Hy-Test Cement Co. of Pennsylvania filed with the Board a request for the approval of their material known as Hy-Test Cement for use as a mortar under the pertinent sections of the Building Code, as listed in their application.

Hy-Test cement is manufactured by the mixing of approximately 50% each of Portland Cement clinker and Natural Cement clinker with a proper amount of Gypsum added for regulation of set. This mixture is conveyed to hydrating silos where it is stored for 48 hours. It is then drawn out and conveyed into tube-mills to be intimately ground into the finished product, Hy-Test Cement. A detailed description of the process of manufacture at Bonneville, Pa., and a plant flow sheet have been filed with this application. Included also is a record of the extensive use of this material with test data by Columbia University and E. L. Conwell & Co. of Philadelphia, Pa. These tests indicate results as follows:

Test	*Fed. Spec. SS181 b*	*Conwell Lab #14569**	*Conwell Lab.#15607**	*Columbia Test #65822-27**
Fineness	More than 88	97	96.7	Satisfactory
Initial Set	Within 48 hrs.	4 hrs.	4 h. 55 m.	Satisfactory
Final Set type II	Within 24 hrs.	8 h. 45 m.	9 h. 45 m.	Satisfactory
Soundness	Sound	Satisfactory	Satisfactory	Satisfactory
Compressive Str. Type II	7 d. 500# P.S.I. 28 d. 1000 # P.S.I.	1295# P.S.I. 1750# P.S.I.	1315# P.S.I. 1550# P.S.I.	1011# P.S.I. 1389# P.S.I.
Water Reten.	Greater than 65%	68%	87.5	Satisfactory
Water Repell.	Not greater than 0.90%	——	——	Satisfactory
Flow Measure	100-115%	100%	100%	110%

* Results given are the average of three samples.

The aforementioned tests meet the requirements of A.S.T.M. C-9132T for masonry cement, as well as the Federal Specifications SS181a and SS181b and accordingly it is recommended that Hy-Test Cement be approved for use in New York City as a masonry mortar under C 26-312.0c, paragraph 2 (7.1.1.7.3) and C 26-314.0c (7.1.1.9) and not to be accepted as a substitute for cement mortar in C 26-418.0 (8.4.1.6) but permitting its use where other mortar, other than cement mortar is permitted. This material is marketed in paper and cloth bags and in bulk. When packed in cloth or paper bags, it shall be tagged, labelled or marked "Approved by the Board of Standards and Appeals under Cal. 578-38-SM", and when marketed in bulk for use in New York City, its bill of lading shall be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Hy-Test Cement, for use in New York City under the conditions set forth in the above report.

Adjourned, 5:30 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

SPECIAL MEETING

FRIDAY MORNING, JULY 22, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

8-33-BZ.

APPLICANT—Joseph B. Lynch, for Colonial Beacon Oil Company, Inc., lessee.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—184-39 to 184-53 Jamaica avenue, northwest corner of 185th street (Block No. 971, Lot No. 38), Hollis, Borough of Queens.

APPEARANCES—
For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and laid over to September 20, 1938, at 2 P. M., applicant to submit revised plans.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

495-37-BZ.

APPLICANT—Lama and Proskauer for Luchas Garage Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment of resolution and also the approval of plans re Application (decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, permitting partly in a business use district and partly in an unrestricted use district the alteration and conversion of occupancy of part of an existing garage for the storage of more than five (5) motor vehicles, to a gasoline service station.

PREMISES AFFECTED—1410-1418 Newkirk avenue, south side, 70 ft. 3⅛ in. west of Marlborough road and 604 Marlborough road (Block No. 5235, Lot No. 5), Borough of Brooklyn.

APPEARANCES—
For Applicant: Irving Proskauer.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE VOTE TO AMEND RESOLUTION AND APPROVE PLANS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(495-37-BZ)

WHEREAS, Lama and Proskauer, for Luchas Garage Corporation, owner, filed October 19, 1937, an application under the building zone resolution to permit partly in a business use district and partly in an unrestricted use district the alteration and conversion of occupancy of part of an existing garage for the storage of more than five (5) motor vehicles to a gasoline service station; Premises: 1410-1418 Newkirk avenue, southside, 70 ft. 3⅛ in. west of Marlborough road and 604 Marlborough road (Block No. 5235, Lot No. 5), Borough of Brooklyn; and

WHEREAS, this application was granted by the board March 29, 1938, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on March 29, 1938, be and it hereby is *amended,* so that as amended the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted,* under section 7-C, permitting the exterior of the garage on Newkirk avenue to be reconstructed substantially as shown on plans filed with this application, by removing the present front wall and reconstructing same further back and relocating the gasoline pumps, *on condition* that there shall be no greasing rack within the gasoline selling area; that there shall be no roof constructed over this alcove area and that the gasoline pumps shall be not nearer than 10 ft. in clear width to the building line of Newkirk avenue; that there shall not be more than two gasoline pumps and the gasoline tanks shall not exceed two 550 gallon tanks; that all tanks and piping shall be of new material; that curb cuts shall not exceed those existing at present; that the exterior of the front shall be constructed of fireproof materials with face brick and stucco on masonry and cast stone copings; that there shall be no changes on the exterior portion of garage

facing on Marlborough road, except that the entrance may be widened to 12 ft. and may have an overhead closure door; that the plans marked 'Received May 24, 1938' are hereby approved for general arrangement and design, as being in substantial compliance with the requirements of this amended resolution; that all permits shall be obtained and all work completed within one year from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE ORDERS

603-38-A.

APPLICANT—Louis F. Siedman, for Estate of Edward P. Morse, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—547-571 Watkins street, northeast corner of Lott avenue (Block No. 3618, Lot Nos. 1 and 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: Louis F. Siedman.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(603-38-A)

WHEREAS, Louis F. Seidman, for Estate of Edward P. Morse, owner, filed July 9, 1938, an appeal from an order of the fire commissioner, affecting premises 547-571 Watkins street, northeast corner of Lott avenue (Block No. 3618, Lot Nos. 1 and 3), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated June 10, 1938, re. Order No. 546-LF, reads:

"1. Provide a separate and distinct system of *Automatic Sprinkler* throughout building (at least one source of water supply). C19-161.0 Administrative Code of New York City."

and

WHEREAS, the building is two stories (28 ft.) in height, 220 ft. by 100 ft. in area, part non-fireproof and part frame construction, located in an unrestricted use district, frame portion erected approximately 30 years ago, brick portion 18 years ago; occupied: 1st floor—pickle works and rag storage—12 persons; 2nd floor—same—9 persons; and

WHEREAS, the applicant contends that the present owners acquired this property through foreclosure in 1935; that 70 ft. of frontage comprises a one-story brick commercial building, which is occupied by a pickle works; that this brick building has a party wall of 16 inches in thickness on each side; immediately contiguous to this building is a two-story brick and metal building and partly a two-story brick filled frame and metal building, having a frontage of 150 ft.; that part of this structure was partitioned off approximately 55 ft. frontage and is also occupied by the same pickle works; that the balance of the frontage, approximately 95 ft., is occupied by two tenants in the rag business, with the exception of the three story brick building on Lott avenue, which has always been vacant, and was formerly used as a boiler room; that these buildings are accessable to any fire apparatus from three sides and immediately in front of these buildings, there are three City fire hydrants; that the cost to install a sprinkler system in these buildings would be prohibitive; that these buildings have no heat and under the circumstances, the installation of the sprinkler system would be impracticable without heat.

Resolved, that the order of the fire commissioner, No. 546-LF, be and it hereby is *modified,* and that the appeal be and it hereby is *granted,* waiving the requirements for a sprinkler system, so long as the one story brick building to the north is operated by a pickle manufacturer and so long as the masonry dividing wall has all openings protected with fireproof self-closing underwriter's fire doors and waiving the requirements as to the three-story brick building on Lott avenue, so long as this portion of the building remains vacant and is not connected with any other part of the building, *on condition* that the balance of the building shall be protected with a sprinkler system which may be dry pipe and may be one source, so long as the building is occupied for the sorting of rags and for junk or any other occupancy deemed equally hazardous by the fire commissioner.

631-38-A.

APPLICANT—John F. Meehan for Sinclair Refining Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—6021-6031 Strickland avenue, north side, 1352 ft. 3½ in. west of Mill avenue (Block No. 8470, Lot No. 1059), Borough of Brooklyn.

APPEARANCES—

For Applicant—John F. Meehan and F. Sommer.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(631-38-A)

WHEREAS, John F. Meehan, for Sinclair Refining Company, owner, filed on July 15, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 6021-6031 Strickland avenue, north side, 1352 ft. 3½ in. west of Mill avenue (Block No. 8470, Lot No. 1059), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent, No. 9717-38, dated July 12, 1938, reads:

"1. Distances of proposed tanks from each other, from adjoining property and level of top of tanks relative to grade to comply with Section C-19-50.e of Administrative Code for the City of New York."

and

WHEREAS, the premises consists of a one-story building, 14 ft. by 32 ft. in area, 15 ft. high, on a plot 95 ft. by 520 ft. 2⅛ in. in area, occupied as a bulk refining plant. It is proposed to erect two (2) new 100,000 gallon fuel oil tanks, to be enclosed in 12 inch concrete dike walls, 15 feet high; and

WHEREAS, the applicant contends that the premises are in an undetermined district; that a modification is requested, relating to the distance between tanks and distance from adjoining property lines and the level of the top of the tanks relative to the grade; that all safety devices and fire extinguishing systems required, will be provided.

Resolved, that the decision of the Borough Superintendent, in acting on App. No. 9717-38, be and it hereby is *modified,* and that the appeal be and it hereby is *granted,* waiving the requirements of the Administrative Code and the Oil Burner Rules of the Board of Standards and Appeals, requiring the burying of tanks, *on condition* that in all other respects, the requirements shall be complied with; that the proposed dike wall on the easterly lot line shall be extended for the same height and the same construction to the southeasterly corner of the garage building; that any windows, on or about the lot line in the rear of the existing garage building within a distance of thirty feet from any portion of the dike enclosure of the Gulf Refining Company on the adjoining property to the east, shall be permanently fastened so as to be unopenable; that these windows shall have fireproof frames, glazed

with wire glass: that a duplicate Foamite equipment shall be instal'ed, if the Fire Commissioner so requires.

653-38-A.

APPLICANT—Gross-Morton Jamaica Estates Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—73-02 to 73-06 182nd street, southwest corner of 73rd avenue (Block No. 7169, Lot Nos. 25 and 26), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: George M. Gross.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(653-38-A)

WHEREAS, Gross-Morton Jamaica Estates Corporation, owner, filed on July 21, 1938 an appeal from decisions of the Borough Superintendent of Buildings affecting premises 73-02 to 73-06 182nd street, southwest corner of 73rd avenue (Block No. 7169, Lot Nos. 25 and 26), Jamaica, Borough of Queens; and

WHEREAS, the decisions of the Borough Superintendent dated July 20, 1938, on New Building Applications No. 3231-38 and 3232-38 read:

"1. The erection of a frame dwelling in the fire limits is contrary to section 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of 2 lots, fronting 48.28 feet and 47 feet respectively on 182nd street, with a depth of 90.53 feet, upon which it is proposed to erect two 1½ story frame dwellings, 20 feet in height, and two private garages; dwellings to be occupied by one family. The premises are located in a business use "D" area district; and

WHEREAS, the applicant contends that the area in which the buildings are to be located, is rural in character and no business structure is within considerable distance of the proposed dwelling; that the use of the street for business purposes is impracticable, inasmuch as there are sufficient business streets in the neighborhood to serve any residential area.

Resolved, that the decisions of the Borough Superintendent, in acting on N.B. Applications Nos. 3231-38 and 3232-38 be and they hereby are *modified* and that the appeal be and it hereby is *granted*, to permit the erection of the buildings as proposed, *on condition* that they shall be for residential purposes only, limited in occupancy to one family each and shall comply with the zoning requirements for an "F" area district, except that the setback along 73d avenue need not average more than twelve (12) feet and except that the buildings may extend eighteen (18) feet in height to the plate line, provided the height to that point is not in excess of twenty-five (25) feet; that the first story of the buildings shall be of masonry veneer; that the roofs shall be of natural slate, except that the chimney breasts may extend into the side yard areas for a distance of not over two (2) feet in depth and that the interior bearing conditions may be as permitted within an area outside the fire limits; that a private garage for each building, for not more than two cars of the passenger-car type may be constructed on each plot, provided such garage is for the accommodation of not more than two cars for the use of the occupants of the dwellings on the plots; that the same shall be constructed of masonry or masonry veneer walls with slate roof and that any window less than three (3) feet from the plot lines shall be constructed of metal frames, glazed with wire glass and made self-closing.

654-38-A.

APPLICANT—Gross-Morton Jamaica Estates Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—73-01 and 73-05 180th street, southeast corner of 73rd avenue; 73-02, 73-06, 73-10 181st street, southwest corner of 73rd avenue and 73-01, 73-05 and 73-09 181st street, southeast corner of 73rd avenue (Block No. 7168, Lot Nos. 1, 2, 24, 25 and 26, and Block No. 7169, Lot Nos. 1, 2 and 3), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: George M. Gross.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(654-38-A)

WHEREAS, Gross-Morton Jamaica Estates Corporation, owner, filed July 21, 1938, an appeal from decisions of the Borough Superintendent of Buildings affecting premises 73-01 and 73-05 180th street, southeast corner of 73rd avenue; 73-02, 73-06 and 73-10 181st street, southwest corner of 73rd avenue and 73-01, 73-05 and 73-09 181st street, southeast corner of 73rd avenue (Block No. 7168, Lot Nos. 1, 2, 24, 25 and 26, and Block No. 7169, Lot Nos. 1, 2 and 3), Jamaica, Borough of Queens; and

WHEREAS, the decisions of the Borough Superintendent dated July 20, 1938, on New Building Applications Nos. 3223-38 to 3230-38, read:

"The erection of a frame dwelling in the fire limits is contrary to section 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of eight (8) lots, upon which it is proposed to construct 8 individual one family frame dwellings—2 stories, 23 ft. in height, 23 ft. by 26 ft. each in area, located partly in a business use and partly in a residence use "D" area district; and

WHEREAS, applicant contends that the area in which the buildings are to be located, is rural in character and no business structure is within considerable distance of the proposed dwelling; that the use of the street for business purposes is impracticable, inasmuch as there are sufficient business streets in the neighborhood to serve any residential area.

Resolved, that the decision of the Borough Superintendent, in acting on N.B. Applications Nos. 3223-38 to 3230-38 be and they hereby are *modified* and that the appeal be and it hereby is *granted*, to permit the erection of the buildings as proposed, *on condition* that they shall be for residential purposes only, limited in occupancy to one family each and shall comply with the zoning requirements for an "F" area district, except that the setback along 73rd avenue need not average more than twelve (12) ft. and except that the buildings may extend eighteen (18) ft. in height to the plate line, provided the height to that point is not in excess of twenty-five (25) ft.; that the first story of the buildings shall be of masonry veneer; that the roofs shall be of natural slate, except that the chimney breasts may extend into the side yard areas for a distance of not over two (2) ft. in depth and that the interior bearing conditions may be as permitted within an area outside the fire limits; that a private garage for each building for not more than two cars of the passenger-car type may be constructed on each plot, provided such garage is for the accommodation of not more than two cars for the use of the occupants of the dwellings on the plots; that the same shall be constructed of masonry or masonry veneer walls with slate roof and that any windows less than three (3) ft. from the plot lines shall be constructed

of metal frames, glazed with wire glass and made self-closing.

655-38-A.

APPLICANT—Gross-Morton Jamaica Estates Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—73-02 and 73-06 180th street, southwest corner of 73rd avenue (Block No. 7167, Lot Nos. 25 and 26), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: George M. Gross.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(655-38-A)

WHEREAS, Gross-Morton Jamaica Estates Corporation, owner, filed July 21, 1938, an appeal from decisions of the borough superintendent of buildings affecting premises 73-02 and 73-06 180th street, southwest corner of 73rd avenue (Block No. 7167, Lot Nos. 25 and 26), Jamaica, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent dated June 25, 1938, on new building applications Nos. 3221-38 and 3222-38, read:

"The erection of a frame dwelling in the fire limits is contrary to sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot 90.95 ft. by 100 ft. in area, which it is proposed to sub-divide into two lots, 45.95 ft. and 45 ft. respectively by 100 ft. in area and to erect upon each lot a one and one-half story frame one family dwelling, 20 ft. in height, 27 by 42 ft. in area; the plot is located in a business use, "D" area district; and

WHEREAS, applicant contends that the area in which the buildings are to be located, is rural in character and no business structure is within considerable distance of the proposed building; that the use of the street for business purposes is impracticable, inasmuch as there are sufficient business streets in the neighborhood to serve any residential area.

Resolved, that the decisions of the borough superintendent, in acting on N. B. Application No. 3221-38 and 3222-38 be and they hereby are *modified* and that the appeal be and it hereby is *granted*, to permit the erection of the buildings as proposed, *on condition* that they shall be for residential purposes only, limited in occupancy to one family each and shall comply with the zoning requirements for an "F" area district, except that the setback along 73d avenue need not average more than twelve (12) feet and except that the buildings may extend eighteen (18) feet in height to the plate line, provided the height to that point is not in excess of twenty-five (25) feet; that the first story of the buildings shall be of masonry veneer; that the roofs shall be of natural slate, except that the chimney breasts may extend into the side yard areas for a distance of not over two (2) feet in depth and that the interior bearing conditions may be as permitted within an area outside the fire limits; that a private garage for each building for not more than two cars of the passenger-car type may be constructed on each plot, provided such garage is for the accommodation of not more than two cars for the use of the occupants of the dwellings on the plots; that the same shall be constructed of masonry or masonry veneer walls with slate roof and that any windows less than (3) feet from the plot lines shall be constructed of metal frames, glazed with wire glass and made self-closing.

656-38-A.

APPLICANT—Gross-Morton Jamaica Estates Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—73-01, 73-05 and 73-09 182nd street, southeast corner of 73rd avenue (Block No. 7170, Lot Nos. 1, 2 and 3), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: George M. Gross.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(656-38-A)

WHEREAS, Gross-Morton Jamaica Estates Corporation, owner, filed July 21, 1938, an appeal from decisions of the borough superintendent of buildings affecting premises: 73-01, 73-05 and 73-09 182nd street, southeast corner of 73rd avenue (Block No. 7170, Lot Nos. 1, 2 and 3), Jamaica, Borough of Queens; and

WHEREAS, the decisions of the Borough Superintendent dated July 20, 1938, on New Building applications Nos. 3233-38, 3234-38 and 3235-1938, reads:

"The erection of a frame dwelling in the fire limits is contrary to section 4.1.2 of the Building Code."

WHEREAS, the premises consist of three (3) lots, 37.39 feet, 40 feet and 40 feet, respectively, by 100 feet in area, upon which it is proposed to construct three one-family frame dwellings, 2 stories—23 feet in height, 23 by 26 feet in area each and also three private garages. The plot is located partly in a business use and partly in a residence use "D" area district; and

WHEREAS, the applicant contends that the area in which the buildings are to be located, is rural in character and no business structure is within considerable distance of the proposed dwelling; that the use of the street for business purposes is impracticable, inasmuch as there are sufficient business streets in the neighborhood to serve any residential area.

Resolved, that the decisions of the Borough Superintendent, in acting on N.B. Applications Nos. 3233-38, 3234-38 and 3235-38, be and they hereby are *modified* and that the appeal be and it hereby is *granted*, to permit the erection of the buildings as proposed, *on condition* that they shall be for residential purposes only, limited in occupancy to one family each and shall comply with the zoning requirements for an "F" area district, except that the setback abong 73rd avenue need not average more than twelve (12) feet and except that the buildings may extend eighteen (18) feet in height to the plate line, provided the height to that point is not in excess of twenty-five (25) feet; that the first story of the buildings shall be of masonry veneer; that the roofs shall be of natural slate, except that the chimney breasts may extend into the side yard areas for a distance of not over two (2) feet in depth and that the interior bearing conditions may be as permitted within an area outside the fire limits; that a private garage for each building for not more than two cars of the passenger-car type may be constructed on each plot, provided such garage is for the accommodation of not more than two cars for the use of the occupants of the dwellings on the plots; that the same shall be constructed of masonry or masonry veneer walls with slate roof and that any windows less than three (3) feet from the plot lines shall be constructed of metal frames, glazed with wire glass and made self-closing.

658-38-A.

APPLICANT—Henry C. Eidt, for John H. Kracke, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—21-29 East 12th street and 100-114 University place, northwest corner (Block No. 570, Lot No. 32), Borough of Manhattan.

APPEARANCES—

For Applicant: Henry C. Eidt and Sophia A. Olmsted.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(658-38-A)

WHEREAS, Henry C. Eidt, for John H. Kracke, owner, filed on July 22, 1938, an appeal from a decision of the Borough Superintendent, affecting premises 21-29 East 12th street and 100-114 University place, northwest corner (Block No. 570, Lot No. 32), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent, in acting on Alt. Application No. 2252-1938, dated July 21, 1938, reads:

"1. Proposed public use (bowling alleys) in a building used as a storage garage, contrary to section C 19-65.0 of Administrative Code.

and

WHEREAS, the building is 4 stories (58 ft. 6 in.) in height, 107 ft. 6 in. by 175 ft. 11⅞ in. in area; of fireproof construction; equipped with a standpipe and a sprinkler system; located in a business use district; erected in 1921 and occupied: Cellar—boiler room, 1 person; 1st floor—stores and garage, 3 persons; 2nd story—garage, 2 persons; 3rd floor—garage, 2 persons; 4th floor—garage, 2 persons; it is proposed to convert the occupancy of 3rd and 4th floors into bowling alleys, 140 persons per floor; and

WHEREAS, the applicant contends that there are two fireproof enclosed stairhalls, nine feet wide with fireproof concrete stairs 4 ft. 4 in. wide, one stairway leading directly to University place and the other directly to East 12th street. The stairway leading to East 12th street extends to the roof and has the required roof bulkhead; the stairways are equipped with self-closing, fireproof doors which swing outwardly on all floors; a ten-passenger elevator is to be installed, with openings on the ground floor and on third and fourth floors only; that it is proposed to install 22 bowling alleys on the third floor and a like number on the fourth floor, with toilet facilities for the public on both floors; the use of the existing ramps leading from the second to the third floor and from the third to the fourth floor will be discontinued and the floor openings closed with reinforced concrete slabs to sustain a live weight of 120 pounds per square foot.

Resolved, that the decision of the Borough Superintendent, in acting on Alt. Application No. 2252-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the third and fourth floors to be occupied for bowling alleys, *on condition* that the garage use on the third and fourth floors shall be entirely eliminated; that the sprinkler and standpipe systems throughout the building shall be maintained to the satisfaction of the Fire Commissioner; that any ramps above the second floor shall be entirely discontinued and the openings filled in with approved fireproof construction; that the stairways shall be maintained as shown, with fireproof, self-closing doors on each floor; that there shall be no openings, other than the stairways connecting the third and fourth floors with any other part of the building; that the number of occupants permitted on the third and fourth floors shall not exceed the number legally permitted for the exits; that the building shall not be further increased in height and area; that the bowling alleys shall be so arranged that sufficient aisles shall be maintained at all times leading to both exits; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

659-38-A.

APPLICANT—T. H. Engelhardt, for Cord Meyer Development Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—112-01 to 112-09 Queens boulevard, 75-01 to 75-09 112th street, northeast corner and 112-16 to 112-40 75th avenue (Block No. 2264, Lot No. 79), Forest Hills, Borough of Queen.

APPEARANCES—

For Applicant: Theobald H. Engelhardt and Charles A. Engelhardt.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(659-38-A)

WHEREAS, T. H. Engelhardt, for Cord Meyer Development Company, owner, filed July 22, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises 112-01 to 112-09 Queens boulevard, 75-01 to 75-09 112th street, northeast corner and 112-16 to 112-40 75th avenue (Block No. 2264, Lot No. 79), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated July 14, 1938, re. Alt. Applic. No. 2420-1938, reads:

"6. Ventilation to comply with 5.1.10 and 5.1.3 Code—

11. Provide a new standpipe system."

and

WHEREAS, the building is one story in height and it is proposed to add an additional story so that it will be two stories, 28.56 ft. in height, 207.32 ft. by 171.45 ft. in area, of fireproof construction, equipped with a sprinkler system, located partly in a business and partly in a residence use district and be occupied as follows: 1st floor—garage for more than five cars—15 persons; 2nd floor—garage for more than five cars—10 persons; and

WHEREAS, the one story building was erected in 1931, after the granting of a zoning variance by this Board under Cal. No. 51-30-BZ; and

WHEREAS, the applicant contends that the structure was originally designed as a 4-story sprinklered fireproof garage and approved as such under N.B. 8357-29; that due to economic conditions, only the first story was erected; as to Objection No. 6, that the only ventilation required at the time of the erection of the present building was by means of windows, which have been provided and equivalent amount of window ventilation will be provided for the new story and in addition, adjustable vent openings will be installed in all 5 exterior walls in conformity with Section 5.1.10 of the new Building Code; as to Objection No. 11, it is proposed to extend the existing two source wet sprinkler system through the second story; that no standpipe system was required in the original building.

Resolved, that the decision of the Borough Superintendent of Buildings, dated July 14, 1938, in acting on Alt. Applic. No. 2420-38, be and it hereby is *modified*, and that the appeal be and it hereby is *granted* as to Items 6 and 11, *on condition* that the ventilation of the new portion shall comply with the Administrative Code, C26-267.0 (5.1.10) but not including the provision of 5.1.3. and that the sprinkler system shall be extended to the new portion complying with Article 15 of the Building Code, and in lieu of a standpipe system; that the building and oc

cupancy shall comply in all other respects with all laws, rules and regulations applicable thereto, as modified by the Board as to zone under Cal. No. 50-31-BZ and as to signs under Cal. No. 31-38-A-WF.

APPLIANCES SUBMITTED FOR APPROVAL

292-38-SA.

APPLICANT — Bryant Air Conditioning Corporation, owner.

SUBJECT—Bryant Unit Garage Heater, Models 1-AG-85-C, 2-AG-85-C and 3-AG-85-C, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Approved in accordance with report of the Engineer of the Board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(292-38-SA)

WHEREAS, Bryant Air Conditioning Corporation, owner, filed April 21, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Bryant Unit Garage Heater Models 1-AG-85-C, 2-AG-85-C and 3-AG-85-C; and

WHEREAS, this device was submitted to the engineer of the board for investigation and report; and

WHEREAS, the report of engineer of the board, supplemented by the report of the representatives of the Division of Combustibles of the Fire Department was on file in that department as follows:

The Bryant Air Conditioning Corporation filed April 21, 1938, an application with the Board of Standards and Appeals for approval of their device, known as Bryant Unit Garage Heater, Models 1-AG-85-C, 2-AG-85-C and 3-AG-85-C, the numbers "1," "2" and "3" referring to the B.T.U. hour output 68,000, 136,000 and 204,000.

This device was submitted to the engineer of the board for investigation and report. The heaters are of the unit type, designed for garage work or where inflammable vapors are likely to be present.

The difference between Models 85 and 85-C, is that Model 85 has a sheet steel combustion chamber and Model 85-C has a cast-iron combustion chamber.

A test was applied to Model 85-C. These heaters are designed to be hung from the ceiling and are similar to the Humphrey and the Surface Combustion (which were approved by the Fire Commissioner prior to January, 1938).

Air for combustion is fed to the burners through a brass screen of 40 x 40 mesh in the air intake. The burners are housed within the combustion chamber. The products of combustion and heat pass up through a series of tubes, which are used for the heat transfer, and are then piped by a flue connected at the top of the heater to the outside air. Fresh air from the room is circulated around and through the heated tubes by a motor-operated fan from the rear of the unit and directed into the room by adjustable louvres on the front of the unit. The gas supply is controlled by a solenoid and thermostatic control valve hooked to a gas pilot in addition to control of the fan motor. The fan motor is of the totally enclosed type.

The unit is provided with a fusible link safety control to shut off the flame should the heat not be carried off by failure of the fan. The unit in general is well constructed and equipped with automatic controls to provide safe operation.

A test of these heaters was made by the Division of Combustibles of the Fire Department on January, 1938, as follows: A sample unit was set up in the open yard and housed in a tight paper box with an intake at the bottom and a blower at the top. The box was 8 ft. by 4 ft. by 8 ft. in height, containing 256 cubic feet. The heater was fired for one-half hour before start of the test. A temperature of 140°F. was obtained within the box; outside temperature was 370°F. While the heater was in operation, the following volatile liquids were introduced into the enclosure:

1st—½ gal. gasoline over a period of 10 min.
2nd—1 quart ether over a period of 20 min.
3rd—½ gal. carbon bisulphide over a period of 20 min.

The legends were injected through the intake to the box at the bottom on saturated waste and by a spray gun. A combustible gas indicator from the Gas Company was used to test the vapors. Because of the strong flow of air through the heater, through the outlet stack, the indicator registered no volatile mixture coming from the exhaust blower. The exhaust blower was then plugged and the entire mixture in the box passed through the heater and the burner and no combustible mixture was obtained at the outlet vent. This proved the heater was properly screened as the flammable gases in the box did not flash but were sucked through the 40 by 40 mesh screen and were burned in transit. The burner has been approved by the Underwriters' Laboratory, File MH 2799.

On the basis of the above report and on inspection on July 21, 1938, it is recommended that the Bryant Unit Garage Heater, Models 1. 2 and 3, AG-85-C, be approved for use in garages where the floor level is not below the curb level, on condition that the heater be placed so that the bottom of same be located at least 8 ft. above the floor level and that a proper tight transite or metal flue be provided leading to the outside of the building, and that the device bear a label, permanently affixed thereto, reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 292-38-SA."

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Bryant Unit Garage Heater, Models 1-AG-85-C, 2-AG-85-C and 3-AG-85-C for use in New York City with gas fuel, when installed and operated in accordance with above report.

372-38-SA.

APPLICANT — Consumers Petroleum Corporation for Faber Engineering Co., Inc., owner.

SUBJECT—Faber Industrial Fuel Oil Burner, Types B and M, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of Engineer of the Board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(372-38-SA)

WHEREAS, the Consumers Petroleum Corporation, for Faber Engineering Co., Inc., owner, filed May 16, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Faber Industrial Oil Burner, Types B and M; and

WHEREAS, the device was submitted to the Engineer for test and report; and

WHEREAS, the report of the Engineer of the Board, supplemented by that of the Division of Combustibles of the Fire Department was substantially as follows:

These burners come in two different types, differing only in the fact that the Type "M" is mechanically atomizing and Type "B" is steam atomizing.

The burners consist essentially of a nozzle, which is fitted in by means of a pipe connection to a specially designed casting containing two ports, one for the oil and the other for the steam.

In the mechanically atomizing type, the casting is the same with the exception that there is no port for steam.

Ignition—manual.

These burners were operated under normal conditions, and it was found that the oil and steam control valves furnished by the manufacturer with these burners, efficiently and readily control the intensity of the flame and the atomization of the oil.

The oil is fed to the atomizing type between 75 and 200 pounds pressure. In the steam atomizing type, the oil pressure varies between 30 and 45 pounds. The burners are designed for manual operation only and to burn oils not heavier than No. 6 commercial grade fuel oil.

As a result of this inspection and test, it is therefore recommended that the Faber Industrial Oil Burner, Types B and M, be approved for industrial use when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals with fuel oil not heavier than No. 6, U. S. Department of Commerce Standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Faber Industrial Oil Burner, Types B and M, for use in industrial installations, with fuel oil not heavier than No. 6, U. S. Dept. of Commerce Standards, when installed and operated in accordance with the above report and the Oil Burner Rules of the Board of Standards and Appeals, *on condition* that the burner shall bear a label permanently affixed thereto reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 372-38-SA.

443-38-SA.

APPLICANT—D. L. Mewhinney, Inc., owner.

SUBJECT—Bryant Vertical Forced Air Heater, Model 8, Type VB (Gas fired), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Approved in accordance with the report of Engineer of the Board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(443-38-SA)

WHEREAS, D. L. Mewhinney, Inc., owner, filed June 3, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Bryant Vertical Forced Air Heater, Model 8, Type VB (gas fired); and

WHEREAS, this device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board was substantially as follows:

The device has been approved by the American Gas Association.

The device was installed in a one-story dwelling at 78 Coale avenue, Four Corners, Staten Island. This device is a gas fired heating unit supplying each room with warm air through ceiling ducts, cold air being withdrawn through return grilles located near floor. A fan directs air across the heated grille of the burner and out into the rooms. This air does not come in contact with the flame. The device is completely automatic; the gas reheated control valve is operated by a solenoid valve under control of the room thermostat. The control chamber is insulated from the heated air stream by asbestos sheathing underneath the heating element. The heating element consists of a cast iron construction chamber, cast iron heat exchange tubes and a cast iron flue collector. The heating tubes are staggered to allow intimate contact and effective wiping action of the air stream.

The blower fan discharges in a vertical position and the baffles direct the air stream over the face area of the cast iron heat exchanges. A ¼ H.P. motor of totally enclosed type is mounted on air adjustable base and is fastened to the fan assembly.

The burner operation is controlled by a room thermostat, a solenoid diaphragm snap valve, a thermostatic and high limit control function in the solenoid valve circuit and the fan operation is controlled by the discharge air temperature independent of the gas valve control.

The control valve is a continuation snap valve and gas pressure regulator with a v116-6 solenoid valve to actuate the snap valve. A single leather diaphragm is employed as both a snap valve and regulator diaphragm. The regulator is the dead weight type manufacturing a constant manifold pressure.

The solenoid valve cannot be energized to open the main gas supply valve unless the safety pilot is burning and its control points are closed to complete the circuit. The pilot stem and thermal element of the pilot are of stainless chrome steel.

The thermal element consists of two channels mounted back to back and pinned at 3 points in an A frame.

A fusible link circuit control is included in the gas solenoid valve circuit. If for any reason the fan stops while the thermostat is still holding the solenoid valve open and the burners on the fusible link located in the path of the hot air rising by gravity will break, opening the circuit to the solenoid valve and closing the main gas supply valve. The fan is under automatic control of the Klixon thermostat, its operation dependent upon the discharged air temperature.

The heater is installed in a room with fire retarded walls and ceiling and is vented through the roof with 6 in. diameter transite flue pipe. It should be installed either in a fire retarded room or placed 3 ft. away from any combustible material.

The burner conforms to the provisions (11.1.7.6) C 26-696.0 A 1-b, (11.1.7.3) C 26-696.0, C, 1.2.3, as approved by the board (11.1.7.4) C26-696-0.d (11.1.7.5) C.26-696.O-C.

It is recommended that the Bryant Vertical Forced Air Heater Model 8, Type VB (gas fired), be approved when installed and operated in accordance with the report on condition that the device shall bear a label permanently affixed reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. 443-38-SA."

Resolved, that the Board of Standards and Appeals does hereby *approve* the Bryant Vertical Forced Air Heater, Model 8, Type VB (gas fired), when installed, operated and labeled in accordance with above report.

559-38-SA.

APPLICANT—Radiant Utilities Corporation, owner.

SUBJECT—Radiant Oil Burner, Model 2½M, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of Engineer of the Board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(559-38-SA)

WHEREAS, Radiant Utilities Corporation, owner, filed June 30, 1938, an application with the Board of Standards and Appeals for approval of the device known as Radiant Oil Burner, Model 2½M; and

WHEREAS, this device was submitted to the Engineer of the Board for test and report; and

WHEREAS, the report of Engineer, supplemented by that of the Division of Combustibles of the Fire Department, was substantially as follows:

This burner was installed in a steam boiler for domestic heating. The burner is of the pressure atomizing gun type, consisting of the following assembly: G. E. 1/6 H.P. Motor; Webster fuel unit, consisting of pump, regulating valve, strainer, Sirocco type fan and a Balloffet nozzle.

Ignition—Electric. Webster transformer, 110 to 10,000 volts.

Controls—Standard Minneapolis Honeywell controls, consisting of Protecto-Relay R-117 and Pressuretrol L-404.

With the oil supply shut off and a cold combustion chamber, the burner was put into operation, and on two successive tests the controls functioned and shut the burner down in 42 and 44 seconds respectively. The burner was then put into normal operation, and all controls functioned as designed. During the period of test there were no flare backs due to faulty ignition, and examination of the combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is, therefore, recommended that the Radiant Oil Burner, Model 2½M, be approved for domestic and commercial use, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, with fuel oil not heavier than No. 3, U. S. Department of Commerce Standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Radiant Oil Burner, Model 2½M, for use in domestic and commercial installations with fuel oil not heavier than No. 3, U. S. Department of Commerce standards, when installed and operated in accordance with the above report and with the Oil Burner Rules of the Board of Standards and Appeals, *on condition* that the burner shall have a label permanently affixed thereto reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. No. 559-38-SA.

64-38-SA.

APPLICANT—David Kaufman for Lennox Furnace Company, owner.

SUBJECT—Oil Aire-Flo Burner Unit, Series H, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of Engineer of the Board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(564-38-SA)

WHEREAS, David Kaufman, for Lennox Furnace Company, owner, filed July 5, 1938, an application with the Board of Standards and Appeals for approval of the device known as Oil Aire-Flo Burner Unit, Series H; and

WHEREAS, this device was submitted to the Engineer of the Board for test and report; and

WHEREAS, the report of Engineer of the Board, supplemented by that of the Division of Combustibles of the Fire Department, was substantially as follows:

The burner was installed in a hot air heating furnace and is of the vaporizing pot type. The burner consists of a vaporizing pot constructed of perforated stainless steel; 1/150 H.P. Emerson motor and a Sirocco type fan furnishes a constant draft to the burner.

This forced draft is automatically regulated by means of thermal elements, located in the burner.

CONTROLS: A Detroit lubricator constant level valve C.R.C. 236.

IGNITION: Manual—to start the burner; thereafter, continuous ignition by means of an oil pilot. This constant level valve is equipped with a bypass so that when the heat requirement is shut off by the thermostat the burner then operates on a very low oil pilot light.

As the thermostat calls for more heat the constant level valve admits oil to the burner and the motor and fan are speeded up as the flow of oil increases.

The above mentioned burner was tested and it was found that the controls operated and functioned as designed.

Examination of the combustion chamber and burner itself showed no undue carbon deposits.

As a result of this inspection and test it is therefore recommended that the *Oil Aire-Flo Burner unit, Series H*, be approved for domestic, industrial and commercial use, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, with fuel oil not heavier than No. 3, U. S. Department of Commerce Standards.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Oil Aire-Flo Burner Unit, Series H. for use in domestic, commercial and industrial installations, with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards, when installed and operated in accordance with above report and with the Oil Burner Rules of the Board of Standards and Appeals, *on condition* that the device shall bear a label permanently affixed thereto reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 564-38-SA.

565-38-SA.

APPLICANT—David Kaufman for Lennox Furnace Company, owner.

SUBJECT—Lennox Oil Burner, Series LE1, LE2, and LE3, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of Engineer of the Board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(565-38-SA)

WHEREAS, David Kaufman, for Lennox Furnace Com-

pany, owner, filed July 5, 1938, an application with the Board of Standards and Appeals for approval of the device known as Lennox Oil Burner, Series LE 1, LE 2, and LE 3; and

WHEREAS, this device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of engineer of the board, supplemented by that of the division of combustibles of the fire department, was substantially as follows:

This burner is of the pressure atomizing gun-type and consists of the following assemby:—An Ohio 1/12 H. P. motor; a Sirocco type fan; a Waltham pump; Detroit lubricator; pressure regulating valve; a Purolator strainer, and a Balloffet nozzle having a range up to three gallons.

Ignition:—Continuous G.E. transformer being used.

Controls:—Minneapolis Honeywell controls consisting of a Pressuretrol L-404 and a Protectorelay R-116-3.

This burner is designed for use with Numbers 1, 2 and 3 commercial grades of fuel oil.

With the oil supply shut off and a cold combustion chamber the burner was put into operation and on two successive tests the controls shut the burner down in 31 and 33 seconds respectively. The burner was then put into normal operation and the flame was clean and free of smoke and soot.

During the period of the tests there were no flarebacks due to faulty ignition and an examination of the combustion chamber showed no undue carbon deposits.

The only difference in the LE1, LE2 and LE3, is in the size of the nozzle used and the H.P. of the motor.

As a result of this inspection and test, it is therefore recommended that the Lennox Oil Burner, Series LE1, LE2 and LE3 be approved for domestic, commercial and industrial use, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, with fuel oil not heavier than No. 3 U. S. Dept. of Commerce standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Lennox Oil Burner, Series LE1, LE2 and LE3, for domestic commercial and industrial installations, with fuel oil not heavier than No. 3, U. S. Dept. of Commerce standards, when installed and operated in accordance with above report and with the Oil Burner Rules of the Board of Standards and Appeals, *on condition* that the burner shall have a label permanently affixed thereto reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 565-38-SA.

MATERIALS SUBMITTED FOR APPROVAL

341-38-SM.
APPLICANT—Bird & Son, Inc., owner.
SUBJECT—Bird Roofing Materials, Paroid and Neponset Brands, Specifications 201, 202, 203 and 204—approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Material approved in accordance with report of the Committee on tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—

(341-38-SM)

WHEREAS, Bird and Son, Inc., owner, filed May 6, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Bird Roofing Materials, Paroid and Neponset Brands, specifications 201, 202, 203 and 204; and

WHEREAS, this material was submitted to a committee of the board for test and report; and

WHEREAS, the report of the committee of the board is as follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 341-38-SM.
Bird Roofing Materials, Paroid and Neponset Brands, Specifications 201, 202, 203 and 204.

Bird & Son, East Walpole, Mass., filed with the Board, a request for the approval of various Bird roofing materials for approval under tests specified in (10.1.16.2) C-26-607.0 A.C. These roofing materials are manufactured by the applicant at their plant in East Walpole, Mass. With the roofing, the applicant proposes using materials with specifications as follows: No. 18 Roofing Asphalt furnished in drums weighing approximately 400 lbs. each and the asphalt complies with A.S.T.M. D-312-37-T and Federal specifications SSA-666 Type 2 Grade 2 and is applied on roofs at the rate of 30 lbs. per mopping per 100 square feet. The nails used for plying over wood decks or nailing strips shall be 1″ barbed nails driven through flat metal discs or equivalent large head roofing nails. For non-combustible decks they shall be 1½ cent nails driven through flat metal discs. The Bird Flashing Cement consists of an asphalt and asbestos of trowelling consistency. The Bird Asphalt Primer is a mixture consisting of asphalt and solvent of brush consistency. The Bird 45 lb. base sheet is manufactured 36″ wide and weighs 45 lbs. per 100 sq. feet. The Bird 15 lb. asphalt felt is a saturated rag felt 36″ wide weighing 15 lbs. per 100 sq. ft. The Neponset cap sheet is a saturated rag felt coated on the weather side for a width of 17″ with a weather resistant asphalt coating. Into this asphalt coating are embedded coarse mineral granules. The 19″ selvage edge consists of saturated felt only. This material weighs approximately 88 lbs. per 100 sq. feet in place.

Tests of roofs as hereinafter described were conducted in accordance with the requirements for brand tests (10.1.16.1-2-3) C-26-606-608 with results as follows:

Specifications 201, 202, 203 and 204. The specimen selected for this test was No. 204 made up as follows: One 45 lb. base sheet, one layer of 15 lb. asphalt felt and all cornered with Neponset (selvage) cap sheet with a total of four moppings. The Brand burned for 26 min. 35 sec. consuming the top ply which was the Neponset cap sheet with no effect on the three remaining plies. This roofing is also made in heavier construction consisting of:

Specification No. 201. 55 lb. base sheet, two 15 lb asphalt felts all covered by Neponset selvage cap sheet with moppings between all plies.

Specification No. 202. 45 lb. base sheet, two 15 lb asphalt felts all covered by Neponset selvage cap sheet with moppings between all plies.

Specification No. 203. 55 lb. base sheet, one 15 lb asphalt felt all covered by Neponset selvage cap sheet with moppings between all plies.

The aforementioned specifications of roofing are limited to new roofs with a slope not exceeding inches per horizontal foot.

The committee is withholding any recommendation on the Special 3-in-1 thick Butt shingles, Bird Giant Individual Shingles and Bird Copper-Clip Shingle pending receipt of a complete specification of the various shingles manufactured by the applicant in these classifications.

MINUTES

The applicant has orally withdrawn his request for approval of the roof decks in the 301-4 specifications.

On the basis of these tests it is recommended that the Bird Roofing specifications Nos. 201, 202, 203 and 204 be approved under (10.12.11) C26-680 A.C. and (10.1.16) group 16 Art. 2 A.C. titled Fire Resistive Construction and as roofing material under specifications listed herein and under such limitations as are applied to each roofing. This roofing when used in New York City shall be marked or labeled on each roll "Approved by the Board of Standards and Appeals under Cal. No. 341-38-SM."

(Sgd.) BERNARD A. SAVAGE,
CHARLES M. BLUM,
Commissioners.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the materials known as the Bird Roofing Materials, Paroid and Neponset, Specifications 201, 202, 203 and 204, for use in New York City, in accordance with the specifications and under the conditions set forth in the above report.

465-38-SM.

APPLICANT—A. H. Rhett, for the Federal-American Cement Tile Co., owner.

SUBJECT—Approval of Featherweight Concrete Plank and Joist for floor and roof construction, manufactured by Federal American Cement Tile Co.

APPEARANCES—
For Applicant: A. H. Rhett.

ACTION OF BOARD—Material approved in accordance with report of the Committee on tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(465-38-SM)

WHEREAS, A. H. Rhett, agent for Federal-American Cement Tile Co., owner, filed June 7, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Featherweight Concrete Plank and Joist for floor and roof construction; and

WHEREAS, this material was submitted to a committee of the board for test and report; and

WHEREAS, the report of the committee of the board is as follows:

REPORT OF COMMITTEE ON TESTS

Cal. No. 465-38-SM.
Featherweight Concrete Plank and Joist for Floor and Roof Construction.

July 19, 1938.

A. H. Rhett, agent for Federal American Cement Tile Co., filed June 7, 1938, an application with the Board of Standards and Appeals for approval of the material known as Featherweight Concrete Plank and Joist for floor and roof construction.

The planks and joists are composed of a mixture of 1 part of Portland cement and 3 parts of fine, hard coal, steam cinders, which are aerated in mixture to produce a cellular texture and a weight of about 75 lbs. per cubic foot and are tongue and grooved on sides and ends.

All planks were 2″ thick, 16″ wide and 9′0″ in length. They are reinforced with two layers of wire mesh, placed adjacent to and substantially parallel to the upper and lower surfaces, spaced 1½″ apart vertically, so that the center of steel is ¼″ above bottom and ¼″ below top of plank, having an equal area of steel in each layer, which vary with the span and load and are as designated by the report for each test.

The joists are 10″ deep, 3½″ wide and 16′0″ long. They are reinforced, top and bottom respectively, with two 7/16″ round rods, spaced 8½″ apart vertically. These rods are attached to a rectangular box of welded wire mesh 3″ and 9″ deep which extends through the length of joist.

Tests of the plank and joists were conducted at the plant of the company at Lincoln, N. J., by the Robert W. Hunt Company, in the presence of the engineer of the board.

METHOD OF TESTS:

Transverse Loading: Load applied with bags of cement at 3rd points. Deflections taken at center. Uniform load calculated.

Pieces tested: 2″ x 16″ x 9′ Concrete Planks.

LONG WIRES

Test No.	*Span*	*Size each Layer*	*Area each layer sq. ins.*	*Loaded Area sq. ft.*	*SIMPLE BEAM LOADING Breaking Loads, lbs. 3rd Point*	*Uniform*	*Sq. ft.*	*Deflections Lbs.*	*Ins.*
1	7′-0″	7 No. 7	.172	9.3	1450	1910	205	850	1
2	6′-0″	6 No. 7	.148	8.0	1450	1910	240	1050	1⅛
3	4′-0″	4 No. 9	.069	5.3	1250	1650	310	950	⅝
4	2′-0″	4 No. 9	.069	2.7	2050	2700	1000	1850	⅛

Pieces tested: 2″ x 16″ x 9′ Concrete Planks.

LONG WIRES

Test No.	*Span*	*Size each Layer*	*Area each layer sq. ins.*	*Loaded Area sq. ft.*	*CANTILEVER LOADING Breaking Load, lbs. 3rd Point*	*Uniform*	*Sq. ft.*	*Deflections Lbs.*	*Ins.*
5	6′-0″	6 No. 7	.148	8	1550	2050	255	....	..

Pieces Tested: Tongue and Groove.

LONG WIRES

Test No.	*Span*	*Size each Layer*	*Area each layer sq. ins.*	*Loaded Area sq. ft.*	*CANTILEVER LOADING Breaking Load, lbs. 3rd Point*	*Uniform*	*Sq. ft.*	*Deflections Lbs.*	*Ins.*
6	6′-0″	6 No. 7	.148	8	1550	2055	255	....	..

Tongue failed.

Pieces tested: 2″ x 16″ x 9′ Concrete Planks.

LONG WIRES

Test No.	*Span*	*Size each Layer*	*Area each layer sq. ins.*	*Loaded Area sq. ft.*	*CONTINUOUS BEAM LOADING Breaking Load, lbs. 3rd Point*	*Uniform*	*Sq. ft.*	*Deflections Lbs.*	*Ins.*
7	7′-0″	7 No. 7	.172	9.3	1550	2050	220	1350	¾

See Drawing No. 1 for further details of Test.

Joist Test — *Simple Beam Loading*

Pieces Tested: 3″ x 10″ x 16′ Joists.... Span 14′-0″
2 tested at once.

Total Load lbs.	*Total Deflection ins.*	*Equivalent Each Joist Load lbs.*	*Equivalent Each Joist Deflection ins.*
7056	½	3528	½
11223	¾	5611	¾=7000 lb. uniform = 500 lb. per lin. ft.

Not tested to complete failure at ¾″ Deflection; one joist showed a shear crack at one end; other joist showed no crack.

As a result of this inspection and test it is recommended that the featherweight concrete plank, manufactured by the Federal-American Cement Tile Co., be approved under the provisions of (10.3.7) C26-625.0 and (10.3.8) C26-626.0 for use as simple beams in floor and light roof construction for the loads specified as follows: For a span of 7 ft., 50 lbs. per sq. ft., 6 ft. span 60 lbs., 4 ft. span 75 lbs.; that the joist may be used as a substitute for wood joists for spans not exceeding 14 ft. with a maximum live load of 100 lbs. per lin. ft., on condition all planks and joists be manufactured and installed under the direct supervision of the Federal-American Cement Tile Co. The top surface of floor and flat or nearly flat roofs shall be grouted with Portland cement 1-1 paste, before any other trades are permitted to work thereon. The

MINUTES

planks shall be fastened to purlin with galvanized metal clips firmly fastened to plank; that each plank or joist shall be marked, labeled or stamped: "Approved by the Board of Standards and Appeals, under Cal. No. 465-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Featherweight Concrete Plank and Joist construction for use in New York City, under the conditions set forth in the above report.

544-38-SM.

APPLICANT—Nelson Orr, for Harnischfeger Corporation, owner.

SUBJECT—Smootharc Welding Electrodes, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(544-38-SM)

WHEREAS, Nelson Orr for the Harnischfeger Corporation, owner, filed June 27, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Smootharc Welding Electrodes; and

WHEREAS, this material was submitted to a committee of the board for test and report; and

WHEREAS, the report of the Committee of the Board is as follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 544-38-SM.
Subject: Approval of Smootharc Electrodes.

July 21, 1938.

On June 27, 1938, Harnischfeger Corporation filed an application for approval of Smootharc Electrodes, as manufactured by the applicant at Milwaukee, Wis.

Tests were conducted by the Pittsburgh Testing Laboratory, in accordance with A.S.T.M. Specification A 205-37 T.

RESULTS OF TESTS

Dimension of Rod	*Position*	*Tensile Strength P.S.I.*	*Per Cent of Elongation in 2 in.*
5/32"x14"	Flat	62,000	28.0
5/32"x14"	Vertical	61,000	25.0
5/32"x14"	Overhead	60,750	23.5
3/16"x14"	Flat	61,500	32.0
3/16"x14"	Vertical	61,750	28.5
3/16"x14"	Overhead	65,500	27.0
1/8" x14"	Flat	67,346	26.0
1/8" x14"	Vertical	67,346	20.0
1/8" x14"	Overhead	70,204	27.0
1/4" x14"	Flat	60,500	30.0
1/4" x14"	Vertical	61,167	25.0
1/4" x14"	Overhead	61,000	21.5

All electrodes tested were Smootharc, A.P. Grade. The samples met the requirement of the American Welding Society for the No. 10 grade, which specifies a working stress of 60,000 pounds and an elongation of 20%. These electrodes are packed in 50 lb. cardboard-lined, tin containers, hermetically sealed.

The Committee accordingly recommends that the Smootharc A.P. Electrodes, made in sizes from 3/32" to 3/16" in 14 inch lengths and ¼" to ⅜" in 18 inch lengths, be approved for use in New York City, when used on reversed polarity with direct current, as meeting the requirements for Grade 10 and Rule 7, Subdivision 2, of the Fusion Welding Rules of the Board of Standards and Appeals, and as manufactured by the Harnischfeger Corporation of Milwaukee Wis.; to be marketed in 50-lb. cardboard-lined, tin containers, hermetically sealed, and the containers shall be marked, stamped, or labeled "Approved by the Board of Standards and Appeals under Cal. No. 544-38-SM", in all positions, with reversed polarity only.

(Sgd.) BERNARD A. SAVAGE,
CHARLES M. BLUM,
Commissioners.
LESLIE V. HUBER,
Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Smootharc Electrodes, for use in New York City, under the conditions set forth in the above report and in accordance with the Fusion Welding Rules of the Board of Standards and Appeals.

Adjourned, 11:35 A. M.

EDWARD V. BARTON, Chief Clerk.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendancy of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, June 28, 1938, as they appeared in Bulletin No. 27, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(216-34-A)

WHEREAS, this appeal from an order of the fire commissioner affecting premises 52-64 Warren street, south side, 214 ft. west of Columbia street (Block No. 303, Lot No. 1), Borough of Brooklyn, was granted by the board June 18, 1935, on certain conditions, resolution amended extending permit until July 7, 1936 and appellant requested a further extension of the permit; and

WHEREAS, applicant has filed a copy of order No. 75687-LC ordering the removal of chlorine.

Resolved, that the Board of Standards and Appeals does *hereby amend* its resolution adopted on June 18, 1935, July 7, 1936, as amended June 8, 1937, so that as amended it shall read:

> "*Resolved,* that the orders of the fire commissioner, No. 65096-LC, 71251-LC and 75687-LC be and they hereby are *modified* and that the appeal be and it hereby is *granted,* permitting the use of liquefied chlorine, in accordance with plans and application previously approved under plan filed with the fire commissioner, No. 1967-32, for a period of one year from June 27, 1938, *on condition* that the additional requirements incorporated in the report of the committee of the board, dated June 17, 1935, shall also be complied with *and that the required permit from the Fire Commissioner shall be obtained.*"

*Correction—"1937" changed to "1938" in line 21 of esolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards nd Appeals held Tuesday, June 21, 1938, as they apeared in Bulletin No. 26, Vol. XXIII, are hereby corected to read as follows:

'HE RESOLUTION—

(28-38-SM)

WHEREAS, the Concrete Plank Co., Inc., owner, filed anuary 18, 1938, an application for approval of the mateal known as Cantilite Concrete Plank simple spans tongue nd grooved construction for roof and floor construction nder C.26-626-0 Administrative Code (10.3.8 Building ode); and

WHEREAS, this material was submitted to the Engineer the Board for investigation and report; and

WHEREAS, the report of the Engineer of the board was ıbstantially as follows:

> This plank is constructed of reinforced concrete—the concrete consisting of 1 part portland cement, 1 part high early strength cement, 4 parts hard coal cinders with a foaming compound to aerate the mixture. The steel reinforcement consisting of four No. 3 U. S. gauge longitudinal wires and No. 8 U. S. gauge transverse wires spaced 10 inches C-C and not less than ¼ in. from top or bottom, or comparable wire of area and material at least equal to the aforementioned sizes. This reinforcement being placed on the top and bottom of a 2¾ in. plank for spans not exceeding 5 ft. 9 in. and permitting a load of 82 lbs. The same reinforcement is used for a 2 in. plank for spans not exceeding 5 ft. and a permitted load of 82 lbs.
>
> Reinforcement consisting of 4 No. 6 U. S. Gauge longitudinal wires and No. 10 U. S. gauge transverse wires to "C-C" top and bottom for a 2 in. plank span not exceeding 4 ft. permitted load 108 pounds.
>
> Reinforcement consisting of 4 No. 9 U. S. gauge longitudinal and No. 12 U. S. gauge transverse 10 in. C C span not exceeding 2 ft. 8 in. permitted load 168 lbs.
>
> Same reinforcement spans not exceeding 2 ft. permitted load 187 lbs.
>
> These loads being based on reports of Columbia University Testing Laboratories, May 4, 1937, and Hunt Laboratories No. 66821, Febraury 3, 1936. The capacities given above are based on computation as simple beams.

and

WHEREAS, the material was tested at Columbia University Testing Laboratories; and

WHEREAS, the report of the Engineer recommended the approval of the material under certain conditions; and

WHEREAS, this material was approved by the Board March 15, 1938, and additional laboratory tests performed, indicate that the loading and span length permitted, should be increased in accordance with the following report:

REPORT OF COMMITTEE ON TESTS

> This material, known as Cantilite, was approved by the Board on March 15, 1938, setting forth limitations of span length. Additional tests were performed on 2 and 2¾ inch Cantilite at Columbia on May 17, 1938, in accordance with the report filed with this case. On the basis of this report, it is recommended that the original approval be amended so as to include the following loads and span length:

Thickness of Plank	*Max. Span*	*Load # sq ft.*
2 in.	6 ft. 0 in.	82
2 in.	7 ft. 0 in.	60
2¾ in.	7 ft. 0 in.	84
2¾ in.	8 ft. 0 in.	70

> It is further recommended that after the word "Cantilite", the following shall be marked or labeled on the plank, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 28-38-SM."

(Sgd.) BERNARD A. SAVAGE,
LESLIE V. HUBER,
Committee.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the "Cantilite Concrete Plank" for use in New York City for simple beams in floor and light roof construction for the loads specified on condition:

> All planks to be manufactured and installed under the direct supervision of the Concrete Plank Co. The top surface of floors and flat or near flat roofs shall be grouted with Portland Cement 1-1 grout, before any other trades are permitted to work thereon.
>
> The planks shall be fastened to purlins, boards or rafters with galvanized metal clips firmly nailed to the plank or when supported on wood by nails driven through the plank.
>
> Where fire protection is required by the Code, these planks shall be so protected as to meet the test requirements.
>
> All planks manufactured for use in New York City in accordance with the foregoing requirements shall be legibly marked "Cantilite" and the words "Approved by the Board of Standards and Appeals Cal. No. 28-38-SM".

*Correction—The word *"in."*, changed to *"ft."* in line 58 of resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, June 21, 1938, as they appeared in Bulletin No. 26, Vol. XXIII, are hereby corrected to read as follows:

MINUTES

THE RESOLUTION—

(191-38-SM)

WHEREAS, the American Cyanamid and Chemical Corporation, Structural Gypsum Division, owner, filed March 22, 1938, an application with the Board of Standards and Appeals for approval of their material known as the "Gypsteel Junior and Senior Planks for Floor and Roof Slabs"; and

WHEREAS, this material was referred to a committee of the Board for investigation and report; and

WHEREAS, the report of the committee of the board was as follows:

Cal. No. 191-38-SM.
Gypsteel Junior and Senior Planks for Floor and Roof Construction.

The structural Gypsum Division of the American Cyanamid and Chemical Corporation of New York filed March 22, 1938, an application with the Board of Standards and Appeals for approval of their material known as the Gypsteel Junior and Senior Planks for Floor and Roof Construction.

Gypsteel planks are made of gypsum conforming to the A.S.T.M. Requirements C.26-33, reinforced with No. 16 gauge galvanized welded wire mesh 4 in. by 5 in. with No. 22 gauge for Senior and No. 28 gauge for Junior, tongue and grooved steel binding enclosing all edges. The Senior plank is manufactured in sizes 2 in. thick by 15 in. wide and 10 ft. in length. The Junior plank 2 in. thick and 15 in. wide and 6 ft. in length. The planks were subjected to load tests at the plant of the manufacturer at Linden, N. J., February 28, 1938, at which test the board was represented by engineers of the Department of Housing and Buildings. Their report of this test is a record in this application. A report of the Thompson & Lichtner testing laboratories is also a part of this record.

On the basis of the load tests it is recommended that Junior planks on 3 ft. span be allowed a total load of 110 lbs. per sq. ft. on 4 ft. spans 76 lbs. per sq. ft. Senior planks on 6 ft. 8 in. spans 53 lbs per sq. ft. and on 4 ft. spans 134 lbs. per sq. ft.

Approval is recommended under C 26-619.0 Admin istrative Code (10.3.1 BC) for roofs of Class 1 an Class 2 construction where the fire protective coverin is omitted from roof trusses as provided in C-26-618. Administrative Code (10.2.8 BC).

Approval of this material is also recommended unde section C-26-620.0 (C) of the Administrative Cod (10.3.2.3, sub. 2 BC) which provides for the use of floor assembly in Class 2, Fire Protected Structures o a 2 in. reinforced Gypsum top slab for the floor whe the supporting steel joists or beams are protected wit at least 7/8 in. Gypsum or cement plaster on metal latl as provided for in this section of the Code.

Whenever Gypsteel planking is placed on stee beams, precautions shall be taken to align the to flange surface of all beams in the same plane, and eac beam shall be so placed as to provide adequate bearin for the plank flooring. No Gypsteel plank shall b used as a floor unless it is surfaced with a cinder con crete top or other equivalent material so as to protec against punching shear. All Gypsteel Junior an Senior planks shall conform to the specifications an limitations set forth herein including the proper sup port of the sides and ends of any plank unit not mesh ing with adjacent planks. These planks shall be labele or marked with type of plank "Junior" or "Senior and with the label or mark—"Approved by the Boar of Standards and Appeals, Cal. No. 191-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissione
LESLIE V. HUBER,
Chief Enginee

Resolved, that the Board of Standards and Appeals doe hereby *approve* the material known as "Gypsteel Junio and Senior Plank for Floor and Roof Slabs", when manu factured and used in accordance with above report, *o condition* that these planks shall be labeled or marke Junior or Senior and the words Approved by the Boar of Standards and Appeals, Cal. No. 191-38-SM.

*Correction—"Class H" changed to "Class 2", in line 4 of resolution.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards an Appeals, Room 1018, Municipal Building, Manhattan, a three cents each—postage to be added if the forms ar forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing an Buildings on Fire Retarding, Fire Escapes, Fire Stairs an Fire Towers are now on sale at the Distribution Divisio of the City Record Office, Room 2213, Municipal Buil ing, Manhattan. Price 10c; by mail 12c.

Copies of the Official Directory of the City of New York for the year 1938 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and Courts, are now on sale at the Distribution Division c the City Record Office, Room 2213, Municipal Buildin Manhattan. Price 50 cents; by mail, three cents pe copy must be added for postage.

There is now on display in one of the rooms in this Board a set of seven maps of the City of New York, covering the real property inventory report, prepared by the Mayor's Committee on City Planning. If interested these maps may be seen any week day and up to 12 o'cloc on Saturdays.

52.05
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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Addendum to Building Code re Sec. C26-191.0 (2.2.3).

Rules Directory.

Notice of Adjournment.

The Hearing Calendar.

Second Quarterly Report.

Rules for Fusion Welding and Gas Cutting.

Approved Fireline Hose Valves.

Approved Fuel Oil Fill Pipe Terminals.

Fire Retarding Rules for Garages, etc.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to July 26, 1938

Cal. No.	*Department*	*Premises Affected*
647-38-A	H.B.Q.	South side of Grand Central parkway, opposite 112th street (Block 1685, part of Lot 100), Corona, Borough of Queens, Alt. 5474-38.
648-38-A	H.B.Q.	North side of Grand Central parkway, opposite 112th street (Block 1685, part of Lot 100), Corona, Borough of Queens, Alt. 5475-38.
649-38-SM		Steelox, manufactured by The Steelox Company, Material.
650-38-A	F.D.	37-02 to 37-08 Main street, southwest corner of 37th avenue (Block 4971, Lot 27), Flushing, Borough of Queens, 71759-L.C.
651-38-A	F.D.	467 Third avenue, east side 12.5 ft. south of East 32nd street (Block 912, Lot 63), Borough of Manhattan 13111-L.C.
652-38-BZ	H.B.M.	448 West 56th street, south side, 125 ft. east of Tenth avenue (Block 1065, Lot 59), Borough of Manhattan, Alt. 1785-38.
653-38-A	H.B.Q.	73-02 to 73-06 182nd street, southwest corner of 73rd avenue (Block 7169, Lots 25-26), Jamaica, Borough of Queens, N.B. 3231-38 & N.B. 3232-38.
654-38-A	H.B.Q.	Southeast corner of 180th street and 73rd avenue (Block 7168, Lots 1, 2, 3, 24, 25, 26 and Block 7169, Lots 1, 2 and 3), Jamaica, Borough of Queens, N.B. 3223-38 to N.B. 3230-38.
655-38-A	H.B.Q.	73-02 to 73-06 180th street, southwest corner of 73rd avenue (Block 7167, Lots 25-26), Jamaica, Borough of Queens, N.B. 3221-38 & N.B. 3222-38.
656-38-A	H.B.Q.	73-01, 73-05 and 73-09 182nd street, southeast corner of 73rd avenue (Block 7170, Lots 1, 2 and 3), Jamaica, Borough of Queens, N.B. 3233-38 to N.B. 3235-38.
657-38-BZ	H.B.Q.	21-45 76th street, east side, 102 ft. north of Ditmars boulevard (Block 972, Lot 12), Astoria, Borough of Queens, N.B. 805-38.
658-38-A	H.B.M.	21-29 East 12th street and 100-114 University place, northwest corner (Block 570, Lot 32), Borough of Manhattan, Alt. 2252-38.
659-38-A	H.B.Q.	112-01 to 112-09 Queens boulevard and 75-01 to 75-09 112th street, northeast corner and 112-16 to 112-40 75th avenue (Block 2264, Lot 79), Forest Hills, Borough of Queens, Alt. 2420-38.
660-38-BZ	H.B.M.	409-411 West 57th street, north side, 89 ft. 8½ in. west of Ninth avenue (Block 1067, Lots 28 and 28½), Borough of Manhattan. Decision.
661-38-S	H.B.B.	1646-1650 Coney Island avenue, west side, 100 ft. south of Avenue M (Block 6573, Lot 12), Borough of Brooklyn, Applic. 8723-38.
662-38-SA		Crane Merit Closet and Tank Combination, Cat. No. C-11000 (Plumbing Device), Appliance.
663-38-BZ	H.B.B.	3122 Avenue L, south side, 20 ft. west of East 32nd street (Block 7649, Lot 49), Borough of Brooklyn, Applic. 21211-37.
664-38-A	F.D.	3611 14th avenue (4th floor), known as 3601-3623 14th avenue and 1401-1465 37th street, northeast corner (Block 5349, Lot 1), Borough of Brooklyn, 73954-L.C. and Decision.
665-38-A	H.B.B.	513 Neptune avenue and 2804-2814 Holmes street, northwest corner (Block 7251, part of Lot 1), Borough of Brooklyn, Applic. 18611-37.
666-38-BZ	H.B.B.	101-125 Sunnyside avenue, north side, 210 ft. 1 in. east of Miller avenue (Block 3885, Lot 41 and part of Lots 12 and 100), Borough of Brooklyn, N.B. 9338-38.
667-38-A	H.B.M.	1211 Madison avenue and 49 East 87th street, northeast corner (Block 1499, Lot 20), Borough of Manhattan, B.N. 1997-38.
668-38-SA		Crane "Hanover" Closet and Tank Combination, Cat. No. C-11004 (Plumbing Device), Appliance.

CALENDAR

669-38-SM.....Arco Cast Iron Pipe, manufactured by American Radiator Company, Material.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department and **F.D.**—Fire Department.

NOTICE

An Addendum to the Building Code has been published by the City Record, to correct an error in the 1938 Edition as to Section C26-191.0 (2.2.3), so as to give the correct wording of the Section as follows:

(2.2.3). § C26-191.0 (pp. 153 to 155) Is Corrected to Read as Follows:

APPROVAL OF MATERIALS, APPLIANCES AND METHODS OF CONSTRUCTION

(2.2.3). § C26-191.0 Approval of materials, appliances and methods of construction.—a. Except as otherwise provided in section six hundred forty-five of the New York City charter and in section C26-4.0 of this Code, the sole authority to test and approve materials and appliances is vested in the board.

b. Whenever any materials, appliances or methods of construction have been approved by the superintendent, a record of such approval shall be kept on file in the department and shall be open to public inspection during business hours.

c. Any material, appliance or form of construction coming under the provisions of this title and approved before January first, nineteen hundred thirty-eight, may be used for the purposes for which it was approved, except so far as may be inconsistent with specific provisions of this title.

d. The use of any material already fabricated or of any construction already erected, which conforms to statutes passed prior to January first, nineteen hundred thirty-eight, shall be permitted, but the continuance of any construction erected in violation of any statute previously in force, shall be unlawful and any penalty incurred before January first, nineteen hundred thirty-eight may be collected.

RULES

	Last Publication in Bulletin
arbon Dioxide Liquefier Rules....May	31, 1938—Vol. 23, No. 22
ertificate of Occupancy, approved form .....July	19, 1938—Vol. 23, No. 29
oncrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
oncrete Rules (Hydrated Lime)...Aug.	3, 1937—Vol. 22, No. 31
levator Rules .....Mar.	3, 1936—Vol. 21, No. 9
xit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
actory Exit Rules.....May	24, 1938—Vol. 23, No. 21
re Alarm Rules (Interior).....July	12, 1938—Vol. 23, No. 28
re Drill Rules.....June	21, 1938—Vol. 23, No. 25
re Retarding Rules for Garages, etc. .....Aug.	2, 1938—Vol. 23, No. 31
reproof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No. 15
ame Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No. 3
ision Welding and Gas Cutting Rules .....Aug.	2, 1938—Vol. 23, No. 31
s Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No. 14
atchway Protection .....June	5, 1928—Vol. 13, No. 23
l Burner Rules.....June	7, 1938—Vol. 23, No. 23
int, Varnish and Lacquer Spraying Rules .....April	26, 1938—Vol. 23, No. 17
atform Trucks, Specifications for.Nov.	24, 1936—Vol. 21, No. 47
umbing Rules .....Aug.	3, 1937—Vol. 22, No. 31
ocedure, Rules of.....Sept.	7, 1937—Vol. 22, No. 36
frigerating Systems, Extract C.O.June	14, 1938—Vol. 23, No. 24
oking in Factories, Rules for....June	28, 1938—Vol. 23, No. 26
rinkler Rules .....June	29, 1937—Vol. 22, No. 26
ndpipe Fireline Rules.....June	8, 1937—Vol. 22, No. 23
uctural Alterations, Reporting...June	7, 1932—Vol. 17, No. 23
nk Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No. 47
nk Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No. 47
ire Glass Rules (Amendment to Rule 505 of Industrial Code)..Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves .....Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....Aug.	2, 1938—Vol. 23, No. 31
Fuel Oil Burners for Domestic and Commercial Use .....Apr.	19, 1938—Vol. 23, No. 16
Fuel Oil Fill Pipe Terminals.....Aug.	2, 1938—Vol. 23, No. 31
Fuel Oil Burners for Industrial Use.June	28, 1938—Vol. 23, No. 26
Fuel Oil Pumps.....July	5, 1938—Vol. 23, No. 27
Paint, Varnish and Lacquer Spraying Equipment .....April	26, 1938—Vol. 23, No. 17
Range Oil Burners and Space Heaters .....July	5, 1938—Vol. 23, No. 27

ADJOURNMENT

Notice is hereby given that the next regular meeting of the Board of Standards and Appeals will be held on Tuesday, September 13, 1938, *at* 10 *a.m.*

SEPTEMBER 13, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September* 13, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 488-38-BZ—Application, June 14, 1938, under section 7a of the building zone resolution, of George A. Aliano, applicant, on behalf of Hatfield and Bell, Inc., owners, to permit in a residence use district, the alteration and extension of an existing soda manufacturing and bottling works; premises 317-323 97th street, north side, 132 ft. 3¼ in. east of Third avenue (Block No. 6122, Lot No. 62), Borough of Brooklyn.

CAL. NO. 400-38-BZ—Application, May 13, 1938, under section 21 of the building zone resolution of John Burke, applicant, on behalf of Mary A. Kenney, owner, to permit in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 339-349 Columbia street, east side, 150 ft. north of Coles street (Block No. 510, Lot No. 6), Borough of Brooklyn.

CAL. NO. 305-38-BZ—Application, April 23, 1938, under section 7e of the building zone resolution of Thomas M. Bell, applicant, on behalf of Dry Dock Savings Institution and George E. Coleman, owners, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 123-127 West 56th street, north side, 325 ft. west of Sixth avenue (Block No. 1009, Lot Nos. 17, 18 and 19), Borough of Manhattan.

CAL. NO. 403-37-BZ—Application, August 12, 1937, under section 7h of the building zone resolution of Max Silver, applicant and lessee, on behalf of Reproduction Furniture Manufacturing Co., Inc., owner, to permit in a business use district the parking and storage of more than five (5) motor vehicles, for a temporary period of two (2) years; premises 507-

CALENDAR

511 Sheffield avenue, east side, 40 ft. south of Livonia avenue (Block No. 3822, part of Lot No. 18), Borough of Brooklyn.

CAL. NO. 10-38-BZ—Application, January 6, 1938, under sections 7h and 21 of the building zone resolution of Kissena Amusement Corporation, applicant and lessee, on behalf of Stellbea Theatres Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 136-20 37th avenue, south side, 100 ft. east of Main street (Block No. 4978, Lot No. 9), Flushing, Borough of Queens.

CAL. NO. 5-28-BZ—Application of Paul Friedman, applicant, on behalf of Parkway Center Building Corporation, owner, reopened June 14, 1938, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station (previously denied); premises 384-388 Hawthorne street and 664-674 New York avenue, southwest corner (Block No. 4819, Lot No. 39), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 13, 1938, 2 P. M.

Appeals from Administrative Orders

306-38-A—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

568-38-A—632-636 West 28th street (Terminal Warehouse building); (Block No. 673, Lot No. 1), Borough of Manhattan.

Variation of Labor Law

562-38-S—62-68 18th street, south side, 325 ft. west of Third avenue (Block No. 632, Lot No. 4), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September* 13, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 8-34-BZ—Application of Walter R. Hart, applicant, on behalf of Fiske and Queens Realty Corporation, owner, reopened July 20, 1938, under section 21 of the building zone resolution, for consideration as to extension of permit—re Application, previously granted on condition, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period; premises northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 103-35-BZ—Application of Edgar Palmieri, applicant, on behalf of Louis Piccola and Angelo Dell' Abate, owners, reopened July 20, 1938, under section 21 of the building zone resolution, for consideration as to extension of permit—re Application, previously granted on condition, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period; premises 5001-5017 Flatlands avenue and 1869-1875 Utica avenue, northeast corner (Block No. 7798, Lot No. 33), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

SEPTEMBER 20, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September* 20, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 469-38-BZ—Application, June 2, 1938, under section 21 of the building zone resolution, of Alfred H. Eccles, applicant, on behalf of Otto Grumbach, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 93-11 to 93-25 Rockaway boulevard and 103-28 to 103-36 94th street, northwest corner (Block No. 9114, Lot No. 19), Woodhaven, Borough of Queens.

CAL. NO. 605-37-BZ—Application, December 17, 1937, under sections 7h and 21 of the building zone resolution, of William C. Winters, applicant, on behalf of George I. Laird, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3008-3012 Fulton street and 233-241 Linwood street, southeast corner (Block No. 3956, Lot No. 43), Borough of Brooklyn.

CAL. NO. 583-38-BZ—Application, July 8, 1938, under section 7h of the building zone resolution of Harry Yahr, applicant, on behalf of The Mutual Life Insurance Company of New York, owner, to permit part in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years the parking and storage of more than five (5) motor vehicles; premises 1736-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan.

CAL. NO. 389-29-BZ—Application of Scacchetti and Siegel applicant, on behalf of 2356 Concourse Realty Corporation, owner, reopened June 14 1938 under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy of part of the first story of an apartment house from residence use to business u

CALENDAR

(stores); premises 2356-2366 Grand Concourse, 245 Field place, 2355-2365 Ryer avenue and 246 East 184th street (Block No. 3159, Lot Nos. 40 and 42), Borough of The Bronx.

CAL. NO. 574-38-BZ—Application, July 6, 1938, under sections 7b and 7c of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Melvin Y. Hard and Amelia Oberscheimer von de Driesch, owners, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a business building (Undertaking establishment); premises 175 Echo place, north side, 59.14 ft. west of Grand Concourse (Block No. 2808, Lot No. 24), Borough of The Bronx.

CAL. NO. 630-38-BZ—Application, July 15, 1938, under section 7g of the building zone resolution, of Bethlehem Engineering Corporation, applicant, on behalf of Mutual Life Insurance Company, owner, to permit partly in a restricted retail use district and partly in a retail use district, the erection and maintenance of a building to be used as a motion picture theatre, a bus station and garage for more than five (5) motor vehicles; premises 118-134 Park avenue, west side from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 20, 1938, 2 P. M.

Appeal from Administrative Order

539-38-A—4420-4424 Church avenue, southwest corner of East 45th street (Block No. 4898, Lot Nos. 10-12), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September* 20, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 8-33-BZ—Application of Joseph B. Lynch, applicant, on behalf of Colonial Beacon Oil Company, Inc., lessee, reopened July 22, 1938, for consideration as to amendment of resolution—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station; premises 184-39 to 184-53 Jamaica avenue, northwest corner of 185th street (Block No. 971, Lot No. 38), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 27, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September* 27, 1938, at 10 o'clock, in Room 1013, Municipal Building on the following matters:

CAL. NO. 251-35-BZ—Application of Paul Friedman, applicant, on behalf of State Engineering Corporation and Cora Lay Waldron, owners, reopened May 17, 1938, under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a business building (stores); (previously denied under sections 7c and 21 of the building zone resolution); premises 2115-2119 Caton avenue, north side, 91 ft. west of Flatbush avenue (Block No. 5063, Lot No. 69), Borough of Brooklyn.

CAL. NO. 608-37-BZ—Application, December 21, 1937, under sections 7h and 21 of the building zone resolution of Patrick J. Keating, lessee, on behalf of First Methodist Episcopal Church, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 142-17 Roosevelt avenue, north side, 150.83 ft. east of Union street (Block No. 5020, Lot No. 49), Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c. Copies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

Copies of the Official Directory of the City of New York for the year 1938 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

There is now on display in one of the rooms in this Board a set of seven maps of the City of New York, covering the real property inventory report, prepared by the Mayor's Committee on City Planning. If interested, these maps may be seen any week day and up to 12 o'clock on Saturdays.

SECOND QUARTERLY REPORT

CITY OF NEW YORK

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, CHAIRMAN

MUNICIPAL BUILDING

August 2, 1938.

Hon. Fiorello H. La Guardia,
Mayor of The City of New York,
City Hall, New York City.

DEAR SIR:

I have the honor to sumbit to you the Second Quarterly Report of the Board of Standards and Appeals for th year 1938. This report is being submitted to you in accordance with the provisions of the Charter, Section 89 and will also be printed in the Bulletin of the Board.

CASES FILED AND PENDING 1938

Filed 1938	A	BZ	S	SA	SM	SR	M'L	T'L	GR.T'L
JANUARY	16	24	7	4	3	1	50	105	..
Restored	0	10	0	1	0	0	0	11	116
FEBRUARY	37	17	4	6	4	0	61	129	..
Restored	1	4	0	0	0	0	0	5	134
MARCH	38	21	6	15	13	0	56	149	..
Restored	0	9	0	3	0	0	0	12	161
APRIL	51	17	7	8	17	0	70	170	..
Restored	1	10	0	1	0	0	0	12	182
MAY	56	31	1	14	11	0	64	177	..
Restored	0	7	0	0	0	0	0	7	184
JUNE	76	20	6	11	18	0	62	193	..
Restored	1	9	0	1	0	0	0	11	204
TOTAL	277	179	31	64	66	1	363	981	981
PENDING Dec. 31, 1937...	59	183	12	68	2	2	0	326	326
GRAND TOTAL .	336	362	43	132	68	3	363	1,307	1,307
DISPOSITION 1938									
JANUARY	47	23	11	5	0	0	50	136	..
FEBRUARY	29	28	6	7	0	1	61	132	..
MARCH	43	46	5	5	1	0	56	156	424
APRIL	38	30	6	8	5	0	70	157	..
MAY	49	34	6	5	3	0	64	161	..
JUNE	88	39	3	10	7	0	62	209	527
TOTAL	294	200	37	40	16	1	363	951	951
PENDING June 30, 1938..	42	162	6	92	52	2	0	356	356

Code: A—Appeals from Administrative Orders. BZ—Applications under Building Zone Resolution. S—Applications for Variations Labor Law. SA—Applications for Approval of Appliances. SM—Applications for Approval of Materials. SR—Applications for Ad tion of Rules. M'L—Miscellaneous Docket.

NOTICE

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards a Appeals, Room 1018, Municipal Building, Manhattan, three cents each—postage to be added if the forms a forwarded by mail.

SECOND QUARTERLY REPORT

SUMMARY

DOCKET

Cases pending December 31, 1937	326
Cases filed up to June 30, 1938	560
Restored to Calendar	58

MISCELLANEOUS APPLICATIONS

Requests to reopen	215
Requests to amend	91
Requests to rescind	3
Requests for extension of time	29
Requests for extension of permit	22
Requests for approval of plans	3
Administrative requests	0
Requests for interpretation	0
Total	1,307
Disposed of	951
Cases pending June 30, 1938	356

DISPOSITION OF CASES

Withdrawn	62
Dismissed	9
Denied	81
Granted	15
Granted on condition	364
Appliances approved	36
Appliances dismissed, disapproved or withdrawn	4
Materials approved	16
Rules approved	1
Rules disapproved, rescinded or withdrawn	0

MISCELLANEOUS ACTIONS

Requests to reopen granted	203
Requests to reopen denied	3
Requests to amend granted	91
Requests to amend denied	0
Requests to rescind granted	3
Requests to rescind denied	0
Requests for extension of time granted	29
Requests for extension of time denied	0
Requests for extension of permit granted	22
Requests for extension of permit denied	0
Plans approved	3
Plans disapproved	0
Administrative requests granted	0
Administrative requests denied or withdrawn	0
Interpretations	0
Requests withdrawn or dismissed	9
Total	951

MONEYS RECEIVED

SUBSCRIPTIONS	APRIL	MAY	JUNE	TOTAL	1st QUAR.	GR. T'L.
To Bulletin	$122.50	$72.50	$62.50	$257.50	$222.50	$480.00
Cash Sales	27.06	35.70	32.50	95.26	111.30	206.56
Paid to City Treasurer	$149.56	$108.20	$95.00	$352.76	$333.80	$686.56

EDWARD V. BARTON, *Chief Clerk.*

HARRIS H. MURDOCK, *Chairman.*

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendancy of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES FOR FUSION WELDING AND GAS CUTTING.

RULES COVERING THE SPECIFICATIONS FOR DESIGN, FABRICATION AND INSPECTION OF FUSION WELDED STRUCTURES AND THE QUALIFICATIONS OF WELDERS AND SUPERVISORS.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 25, 1938.
EFFECTIVE MARCH 21, 1938.

[Cal. No. 1-38-SR]

Authority:
Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and C26-514.0 of the Administrative Code (8.6.2.2).

SCOPE.

These rules are supplementary and additional to the requirements for Fusion Welding as permitted under C26-514.0 of the Administrative Code (8.6.2.2) reading:

Fusion welding may be substituted for, or used in combination with, riveting or bolting to connect or assemble the component parts of steel beams, girders, lintels, trusses, columns and other structural steel used in building construction if done under rigid inspection and specification, in accordance with the rules of the Board. These Rules shall also apply to gas cutting.

NOTE: Where a reference in parenthesis appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.

Rule 1. Application For Permits.

1.1 No person shall perform gas or electric welding on structures or parts thereof erected or to be erected within the City of New York except as provided in these Rules and in conformity with C26-211.0 of the Administrative Code (2.3.2).

1.2 The commencement of any structural welding work is forbidden until an application for a permit to perform such work is filed with and approved by the superintendent. The superintendent shall be notified in writing at least 48 hours prior to the date when the structural welding work is to commence. C26-172.0 of the Administrative Code (2.1.1.12).

Rule 2. Definitions.

2.1 ARC WELDING. A fusion welding process wherein the welding heat is obtained from electric arc formed between the base metal and metal electrode.

2.2 BASE METAL. The metal upon which the weld or cut is made.

2.3 BUTT WELD. A butt weld is a weld whose throat lies in a plane disposed approximately 90 degrees with respect to the surfaces of at least one of the parts joined. The size of a butt weld shall be expressed in terms of its net or unreinforced throat dimension in inches. C26-158.0 of the Administrative Code (1.149).

2.4 CONTINUOUS WELD. A weld which is uninterrupted throughout the length of the joint.

2.5 CRATER. An unfilled concave depression in the fusion area of an arc weld resulting from penetration of the welding arc into the metal thereunder.

2.6 FILLER METAL. Metal especially prepared for addition to the weld. This term shall apply to this material only before deposition.

2.7 FILLET WELD. A fillet weld is a weld of approximately triangular cross section, whose throat lies in a plane disposed (inclined) approximately 45 degrees with respect to the surfaces of the parts joined. The size of a fillet weld shall be expressed in terms of the width in inches of its adjacent fused sides. C26-158.0 of the Administrative Code (1.149).

2.8 FLAT WELD. A weld made by the fusion welding process on a horizontal plane or one inclined not over 45 degrees to the horizontal, the weld being made from the upper side of the parts joined.

2.9 FUSION WELDING. Fusion welding is the process of joining metal parts in the molten, or molten and vapor states, without the application of mechanical pressure or blows. Under these rules fusion welding is restricted to arc and gas welding processes. C26-75.0 of the Administrative Code (1.67).

2.10 GAS CUTTING. Gas cutting is the process of severing ferrous metals by means of the chemical behavior of oxygen, in the presence of ferrous metals at high temperatures, to produce a kerf, or cut, of uniform width without burning the edges of the kerf or cut. C26-77.0 of the Administrative Code (1.69).

2.11 GAS WELDING. A fusion welding process in which the heat of welding is supplied by the combustion of oxygen and acetylene or other fuel gas in a suitable torch. Filler metal may be melted from a welding rod. Under these rules, gas welding is restricted to the oxy-acetylene process wherein filler metal is added.

2.12 HORIZONTAL WELD. A weld made by the fusion welding process on a plane vertical or inclined less than 45 degrees with the vertical, the linear direction of the weld being horizontal or inclined not more than 45 degrees to the horizontal.

2.13 LAYER. A stratum of weld metal of a fusion weld and consisting of one or more interwoven beads.

2.14 OVERHEAD WELD. A weld made by the fusion welding process on a horizontal plane or one inclined not over 45 degrees to the horizontal, the weld being made from the underside of the parts joined.

2.15 OVERLAP. A condition of lack of fusion where the deposited metal has overflowed the fused area of metal.

2.16 PENETRATION. The linear distance that the deposited metal penetrates below the original surface of the base metal.

2.17 ROOT. A root is the zone at the bottom of the cross-sectional space provided to contain a fusion weld. C26-312. (CL) of the Administrative Code (1.122).

2.18 SLOT WELD. A weld made in an enclosed or partially enclosed opening formed in one of the parts of a lap joint.

2.19 SUPERINTENDENT. Wherever the word "Superintendent" appears in these Rules, it shall mean the Superintendent of Housing and Buildings of the borough having jurisdiction.

2.20 TACK WELD. A weld of random size or shape intended only to fix a member or part thereof of a structure, in correct position preparatory to final welding, and shall not be considered to transmit stress.

2.21 THROAT. The minimum thickness of a weld along a straight line passing through the root. Throat of a fillet weld is the distance along a line from the root to the hypothenuse at right angles thereto, of the largest isosceles triangle which can be constructed in the cross section of the fillet weld. The throat of a butt weld shall be equal to the thickness of the thinner part joined. C26-53.0 of the Administrative Code (1.144).

2.22 UNDERCUT. A condition wherein the base and weld metal is melted away leaving a depression, the surface of which lies below the designed surface contour of the joint.

2.23 VERTICAL WELD. A weld made by the fusion welding process on a plane vertical or inclined less than 45 degrees with the vertical, the linear direction of the weld being vertical or inclined not more than 45 degrees to the vertical.

2.24 WELD DIMENSIONS. The dimensions of a weld shall be expressed in terms of its size and length. C26-158.0 of the Administrative Code (1.149).

2.25 WELD LENGTH. Shall be considered to be the unbroken length of the full cross-section of the weld exclusive of the length of any craters. C26-158.0 of the Administrative Code (1.149).

Rule 3. Design and Supervision.

3.1 The licensed architect or licensed professional engineer designing or supervising the construction of a welded structure shall be experienced and skilled in such work. C26-515.0 (c) (8.6.2.3.3).

3.2 PERMISSIBLE UNIT STRESSES.

In the design of welded structures or parts thereof the stress at every connection must be accurately calculated and the required amount and the exact type and location of weld and filler metal with respect to the parts joined be specified.

3.2.1 Welded joints shall be so proportioned that the maximum stresses shall be less than the following amounts in pounds per square inch:

Shear on section through the throat of a weld	11,300
Tension on section through the throat of a weld	13,000
Compression on section through the throat of a weld	15,000

Maximum fiber stresses due to bending shall not exceed the maximum values allowed above for tension and compression respectively. C26-368.0b (6) of the Administrative Code (7.4.5.6).

3.2.2 Stress on a fillet weld shall be considered as shear for any direction of the applied stress.

3.2.3 Adequate provision shall be made for bending stresses due to eccentricity in the disposition or section of base metal parts.

3.2.4 The allowable compressive strength mentioned in these Rules is not intended to prevent butt welds being used across the entire section to transmit the total compressive stress in compressive flanges of beams, girders, truss plates or compression blocks or other members protected against lateral deflection even though such stress exceeds 15,000 lbs. per sq. in., but not exceeding the maximum allowable compressive stress in the parts joined.

3.3 WORKING STRESSES FOR WINDLOADS. When the stress in any member due to wind is less than 33⅓% of the stress due to live and dead loads, it may be neglected. For combined stresses due to wind and other loads, the permissible working stresses may be increased 33⅓%, provided the section thus found is at least that required by the dead and live loads alone. For stresses due to wind only, the permissible working stress shall be the same as for live and dead loads. C26-372.0, 373.0 and 374.0 of the Administrative Code (7.4.8).

3.4 WELDED GIRDERS. In welded girders the connection of component parts of flanges to each other and of flanges to webs shall be by continuous or intermittent fillet welds designed to transmit the stress. C26-520.0 (d) of the Administrative Code (8.6.2.8.4).

3.5 Girders shall be proportioned either by their moments of inertia or by the flange-area method; in the latter method, when applied to a welded girder having no holes in the web, 1/6 of the web area may be considered a part of the area of each flange. Stiffeners may be either angles or flat plates, welded to the web and flanges by welds designed to transmit the stresses.

3.6 BEAMS. The use of continuous beams and girders, shall be permitted provided their welded connections be designed to transmit the stresses involved in continuous beam construction and columns are designed for the moment added by such construction. At the ends of non-continuous beams, the connections shall be designed to avoid excessive secondary stresses due to bending.

3.7 WELDED COLUMNS. C26-520.0 (e) of the Administrative Code (8.6.2.8.5). Fillet welds connecting the component parts of a built-up column may be either continuous or intermittent. If intermittent. the length of each weld at the ends of the column shall be equal to the least width of the column. The length of the intervening welds shall be at least one and one-half inches, spaced at most four inches in the clear. The size, length and spacing of the fillet welds shall be such as to provide the same strength, per unit of column length, as the allowable shearing stresses in structural steel for power driven rivets. Lattice bars and tie plates shall be welded so as to obtain strength equal to that specified in C26-368.0b (6) of the Administrative Code (7.4.5.4). Shearing stresses.

3.7.1 Where column splices are welded, welds must be provided equal in strength to the shear of the standard column splice.

3.8 WELDED BUTT JOINTS. The edges of base metal parts, one-quarter inch or more in thickness, transmitting stress by means of butt welds shall be beveled. For single and double "V" joints, the bevel of each part shall be at least 30 degrees. For single and double bevel joints, the bevel shall be at least 45 degrees.

Before welding, the root edge or face of one part shall be separated from the root edge or face of the other part by not less than 1/16 inch nor more than ¼ inch.

Butt welds shall be reinforced by depositing additional metal on the weld to a height extending beyond the surface of the thinnest part joined. The height of such reinforcement shall be at least the following percentages of the thickness of the thinnest part joined: 20 percent for single "V" and single bevel butt welds, and 12½ percent on each side, for double "V" and double bevel butt welds. C26-520.0(f) of the Administrative Code (8.6.2.8.6).

3.9 FILLET WELDS. The length of any fillet weld shall be made not less than four times the weld size or else the size of the weld shall be considered not to exceed ¼ of the length for purposes of calculating strength under these rules.

3.10 WELDS IN SLOTS OR HOLES. When welding inside a slot or hole in a plate or other part, in order to join same to an underlying part, fillet welding may be used along the wall or walls of the

slot or hole, but the latter shall not be filled with weld metal or partially filled in such manner as to form a direct weld-metal connection between opposite walls, except that fillet welds along opposite walls may overlap each other for a distance of one-fourth of their size. No slot or hole shall be less in width or diameter than 1½ times its depth.

3.11 FIELD RIVETED, BOLTED AND WELDED CONNECTIONS. C26-521.0 of the Administrative Code (8.6.2.9).

3.11.1 In tier structures less than 125 feet high, in which the height is less than two and one-half times the minimum horizontal dimension, all column splices and field connections may be bolted.

3.11.2 In structures in which the height is over 100 feet and is more than two and one-half times the minimum horizontal dimension, and in structures 100 feet or less in height in which the height is more than four times the minimum horizontal dimension, column splices and connections to columns shall be riveted or welded.

3.11.3 In structures over 125 feet in height and in all structures of a special character, connections of beams and girders to columns, and beams and girders bracing columns shall be riveted or welded. Column splices in structures 200 feet or more in height shall be riveted or welded. Column splices in tier structures less than 200 feet high (except as provided in the preceding paragraph) may be bolted.

3.11.4 All other field connections may be bolted (except that, in all structures, the connections for supports for running machinery or other moving loads shall be riveted or welded).

3.11.5 Within existing structures steel work for alterations, or additions (except to the main structural framework), which do not affect existing column splices, connections and other riveted or welded work, may be bolted.

3.12 COMPLETION OF WORK.
Upon the completion of all structural welding operations, the licensed architect or licensed professional engineer responsible for the design of the structure shall certify to the Superintendent that the fabrication and welding of such structure have been carefully inspected and that the requirements of his design and these Rules have been fulfilled in every respect by the contractor who has done the welding.

Rule 4. Board of Examiners for Welders.

4.1 The Board of Examiners for Welders provided for in C26-209.0 of the Administrative Code (2.3), shall be appointed by the Commissioner of Housing and Buildings from members of the staff of the Department as recommended by the Superintendents. All certificates of qualification issued shall be uniform for the five Boroughs. There shall be a separate certificate for gas welding and for electric are welding, which certificates shall not be interchangeable and shall apply specifically to the type of work to be done and shall be issued in accordance with Rule 5.

4.2 WELDERS TO BE QUALIFIED. No person shall perform welding work on any structural member of a structure without having obtained a certificate of qualification from the Board of Examiners for Welders. C26-211.0 of the Administrative Code (2.3.2).

4.2.1 Before a certificate of qualification may be issued authorizing a person to perform welding work on any structural member of a structure, the person applying for such certificate shall have submitted to and satisfactorily passed an examination to determine his qualifications, conducted by Board of Examiners for Welders to be appointed by the Commissioner. A certificate of qualification shall be issued to each applicant having proved his qualifications and upon the payment of a fee of Two Dollars. Such certificate shall continue in effect for a period of one year unless sooner revoked or suspended and to be effective thereafter shall be renewed annually. The annual renewal fee shall be One Dollar.

4.2.2 No person shall be eligible for a certificate of qualification to perform welding work as provided in this section unless he is a citizen of the United States of America.

4.2.3 The Superintendent may revoke or suspend a certificate of qualification of any person, if workmanship on any structural welding is such as to indicate incompetency or negligence which might endanger a structure or result in injury to humans.

Rule 5. Qualification Test for Welders.

5.1 These qualification tests shall be conducted by the Board of Examiners for Welders or its representative but, in the discretion of the Board of Examiners for Welders documentary or other evidence, or both, that the applicant has passed the qualification test, conducted by a standard testing laboratory or an inspection by the Superintendent or his representative may be accepted as satisfactory proof of the applicant's fitness to make structural welds in accordance with Rule 5.4. Welders performing work outside New York City may be qualified under this rule. C26-381.0 of the Administrative Code (8.1.2).

5.2 Qualification for arc welding shall not constitute qualification for gas welding, and vice versa. Qualification for welding with bare electrodes shall not constitute qualification for welding with flux-coated electrodes, and vice versa.

5.3 The foregoing provisions are not intended to bar an applicant from further trial in case of one or more failures, or to require an operator who has passed the tests to qualify anew for every job he may undertake.

5.4 QUALIFICATION REQUIREMENTS.

5.4.1 Before issuance of a certificate of qualification by the Board of Examiners for welders the applicant shall have passed the qualification tests prescribed as follows:

5.4.2 The minimum qualification requirements shall be the welding of test specimens of the type shown in Fig. 2 and specified in Rule 5.4 each specimen to be tested for failure in a reliable tension testing machine and to develop ultimate resistance not less than 80 kips if welded with filler metal of grade 2, 4, 10 or 15; or 67 kips if welded with filler metal of grade 20, 30 or 40.

5.4.3 Two specimens shall be welded in the downward or flat welding position, two in the vertical welding position and if the operator is to perform overhead welding, two in the overhead welding position.

5.4.4 The form of test specimen shall be as shown in Fig. 2, consisting of four steel bars or plates connected by four approximately equa

fillet welds. The specifications of the bar steel shall conform to Rule 7. The welding edges of the splice bars shall be cut flat and square and any burrs shall be removed. The bars shall be clamped securely together and tack welded in proper position with the splice bars centered on the main bars and the faces of the main bars in true planes, in preparation for the test welding. Welding shall be performed with the same process (arc or gas), the same welding procedure, and the same type of electrodes or welding rods as are to be used in the work for which the operator is being tested; the diameter of electrodes or rods shall be the largest to be used in the work, for which the applicant proposes to qualify.

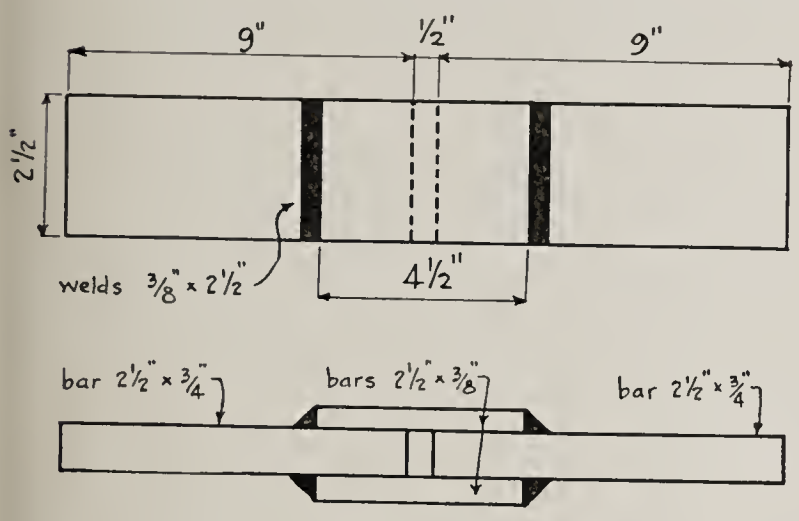


FIG. 2

Welds shall be made as nearly as possible to the designed dimensions, and in conformity with the practices set forth in Rule 6; at every cross-section the weld size in each direction shall be within 1/16 in. of the prescribed 3/8 in.

Rule 6. Quality of Welds.

The quality of welds permitted under these rules shall conform to the following requirements:

6.1 The Quality of Test Welds and Construction Welds shall fulfill all requirements with regard to shape and internal quality.

6.1.1 All lap welds shall indicate good penetration to the root of the weld and good fusion at both sides of the bead.

6.1.2 All fillet welds shall show absence of undercutting, proper shape of the bead, lack of overlaps and proper fusion.

6.1.3 All butt welds shall show good fusion without overlapping or undercutting.

6.2 UNDERSIZE WELDS. Undersize or undercut welds shall be built up by welding to conform to the weld cross-section called for in the drawings and specifications. The surface of previously deposited welds shall be cleaned of oxides or slag before any reinforcing weld metal is applied.

6.3 Shape.

6.3.1 Welds shall conform in shape to those shown on Figs. 3a and 4a and shall not be undersized.

6.3.2 Surfaces of weld shall be reasonably smooth and uniform in contour. Weld metal along the toe of the weld shall not overlap the base metal surface but shall form an intimate contact therewith as shown in Figure 3.

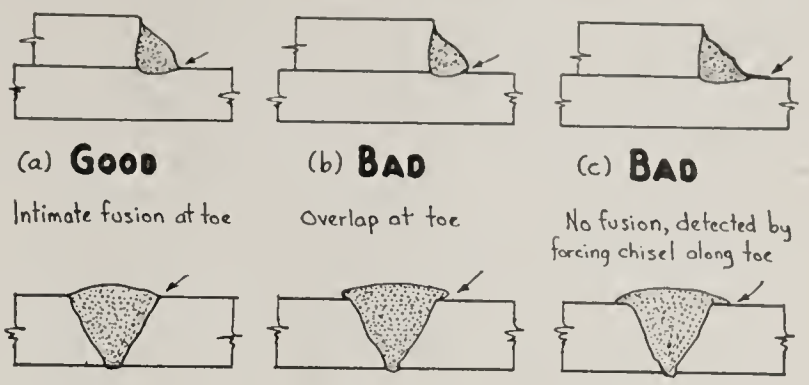


FIG. 3

6.3.3 INTERNAL QUALITY. The weld metal shall be sound throughout and shall be free from oxides, non-metallic inclusions and gas pockets. The weld metal shall be thoroughly fused with the base metal along all surfaces and edges of union, and shall penetrate into the root of the weld, as shown in Fig. 4a.

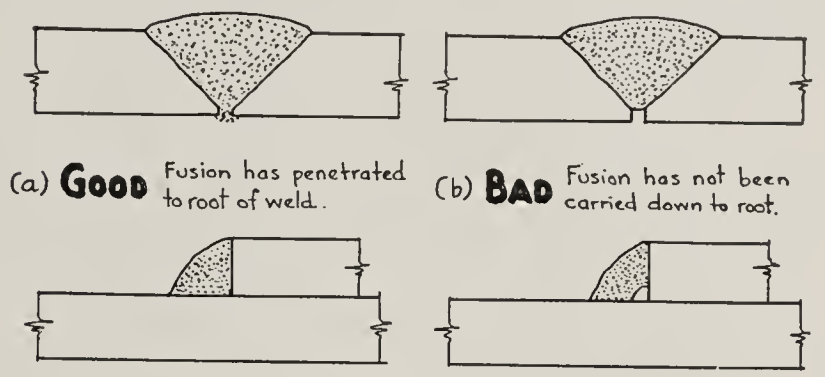


FIG. 4

6.3.4 WELD ENDS. The ends as well as the body of the welds shall conform to all the requirements of Rule 6.

Rule 7. Specifications and Tests of Welding Materials.

7.1 Structural steel shall conform to A.S.T.M. Specifications A-7-36 or A-9-36.

7.2 Filler metal (electrodes or welding rods) shall conform to all requirements of A.S.T.M. Specifications A205-37.T and the superintendent may accept certified test results from a reputable manufacturer that tests have been made in conformance with these specifications.

Rule 8. Gas Cutting of Structural Steel.

C26-526.0 (a) to (g) of the Administrative Code (8.6.3.2.1-7 inc.).

8.1 Contractors desiring to do gas cutting shall be required to satisfy the Superintendent as to their ability to produce satisfactory gas cuts.

8.1.1 Gas cutting shall be done by one experienced in this work and under the continual supervision, as provided in 9.1.

8.2 Gas cutting on any member while it is carrying stress is prohibited (except for detail cutting to correct minor fabricating errors where the removal of metal resulting from such detail cutting would leave unimpaired the required strength of the members to be cut).

8.2.1 Any field cutting of structural members to provide openings or to remove portions of flanges shall not be done, unless provided for in the design.

8.3 Gas cut edges shall be smooth and regular in contour.

8.4 Gas cutting may be used in the preparation of base metal parts for welding provided the edges are thoroughly cleaned after cutting so as to expose clean steel.

8.5 Gas cutting to replace the milling of surfaces is prohibited.

8.6 Gas cutting of holes in a member designed without provision therefor is prohibited.

8.7 The radii of re-entrant gas cut fillets shall be as large as possible and at least one inch. ,To determine the net area of members so cut, one-eighth inch shall be deducted from the gas cut edges.

Rule 9. Supervision and Inspection.

9.1 Any welding to be done on a structure or any part thereof shall be performed under the supervision of a representative of a standard testing agency or an inspecting agency responsible to the owner or licensed architect or licensed engineer. Such agency shall be acceptable to the Superintendent.

9.2 The agency as provided for in 9.1 shall take adequate means to assure that the preparing, gas cutting, assembling and welding of the joints of the structure conform to the design and that the resulting structure is free from deficiencies and injurious defects. He shall keep and submit daily to the licensed architect or licensed professional engineer responsible for the work adequate records of the progress of the work, of difficulties experienced, and of his decision of acceptance and rejection. His records shall allocate a definite and personal responsibility for his acceptance of every weld as to size, location, type of filler metal used and quality of workmanship, and shall evidence that no weld called for in the design has been omitted. He shall require that each welder stamp his identification symbol on his work, and the inspector after inspecting each weld shall do likewise.

9.2.1 He shall inspect for defects and irregularities, plate cracks adjacent to or behind welds crater cracks or cracks in the weld metal.

9.2.2 He shall gauge all welds for deficiency of throat or other critical cross-section.

9.2.3 He shall carefully observe and reject undercutting, overlap or lack of fusion at edges of weld, lack of penetration, or porosity, location of craters, size and shape of bead, and order occasional chipping to determine penetration and correct all or any irregularities of workmanship contrary to the design.

9.3 The contractor who is to do welding shall submit to the Superintendent a statement that the work will be done in accordance with these rules and the Administrative Code and shall include in such statement, the detailed procedure he proposes to follow, which shall include the following:

That each welder or group of welders shall be under the continual supervision of an experienced foreman.

That only welders qualified under these rules be employed. Each welder shall exhibit, when required, his Certificate of Qualification.

That each welder shall be provided with proper gauges to check his work.

That the foreman shall be able to read blueprints and shall lay out and allocate the work each welder is to perform and he shall carefully observe the burn-off of the electrode; the fusion, and penetration of crater; the formation of the bead; and the sound of the arc.

That only the base metal and filler metal conforming to the job specifications and these rules be used.

That the welding equipment furnished shall have proper characteristics to allow good work.

That whenever deemed necessary by the Superintendent, such tests of the finished welds, shall be made as required by him.

Rule 10. Workmanship on Welded Structures.

10.1 The arrangement of the joints to be welded shall be such as to enable the operator to have an unobstructed view of the surfaces to be welded at all times during the welding operation.

10.2 Welds found deficient in dimensions, but not in quality may be enlarged by additional welding. Where a deficient weld renders the weld inaccessible or has caused new conditions which would make reinforcement dangerous or ineffectual, the weld shall be removed and original conditions restored or in lieu thereof a revised design, correcting this condition shall be submitted to the superintendent. Any weld found deficient in quality, size, or made contrary to the requirements of these rules shall be removed by chipping or melting and shall be remade. The weld metal shall be removed throughout its depth to clean base metal. A cracked weld shall be removed throughout its entire length.

The cutting or chipping of a weld shall not extend into the base metal. In removing welds, care shall be taken not to burn or otherwise injure the base metal and after melting the exposed base metal shall be cleaned by chipping and wire brushing.

10.3 TACK-WELDS. In making tack-welds, the same precautions should be observed as when starting welds. Where a designed weld will later be made over the tack-weld, the tack-weld shall be made with the same care as required for designed welds.

Whenever tack-welds are located where a designed weld will later be made, they shall be made according to the foregoing requirements. When encountered in the final welding operation, they shall be thoroughly fused in with the final weld. Tack-weld should be thickest at the center and should taper at both ends for convenience in carrying the regular weld over the tack-weld (see Fig. 19).

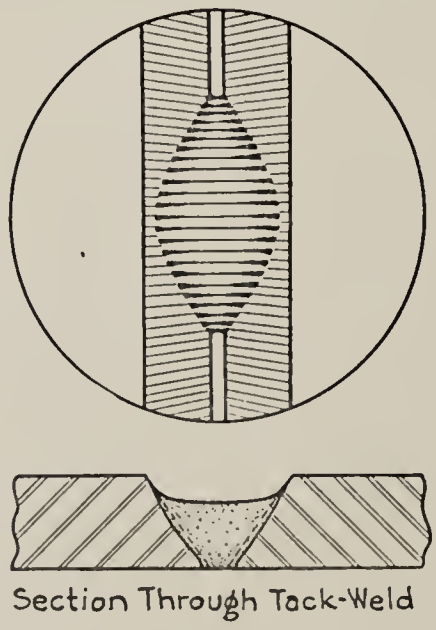


FIG. 19

10.4 Surfaces to be welded shall be free from mill scale rust, paint or other foreign matter. A thin coat of

linseed oil or its equivalent over the surfaces to be welded need not be removed. These provisions shall apply to new structures and where new steel is to be welded to steel in any existing structure.

Structural steel shall not be painted on any areas where shop or field welding is to be performed, except that a coat of linseed oil without pigment may be used for temporary protection. However, structural members which have been painted, may be welded, provided that the paint is completely removed from the areas to be welded. Parts which are welded in the shop, to be erected by bolts or rivets, shall receive the usual painting if any is required after the shop welding is finished. Parts to be field welded shall receive a coat of linseed oil after shop work is completed, and after erection and field welding, they shall be given two coats of acceptable metal protection if painting is required. C26-522.0 of the Administrative Code (8.6.2.10).

10.5 Where rivets are under load there shall be no welding at the connections between structural members so riveted unless precautions are taken to prevent loss of tension of rivet in a manner approved by the superintendent. See 3.11.5.

10.6 In assembling and during yelding, the component parts of a built up member shall be held by sufficient clamps, or other adequate means shall be employed for temporarily fastening the members together and bracing the framework until the joints are welded. This shall consist of erection bolts or positive devices imparting sufficient strength and stiffness to resist all temporary weights and lateral forces, including wind.

For all welded structures, erection bolts, or equivalent means shall be employed for temporarily supporting the members, and existing loads, and for insuring proper alignment.

The temporary support of girders carrying columns or other heavy loads shall be made rigid by such means as shall be designed by the licensed architect or licensed professional engineer in charge and approved by the Superintendent.

In tier building erection, members shall not be erected more than two tiers, or more than one-column length above any column connections yet unwelded.

Rule 11. Metal Chimneys and Tanks.

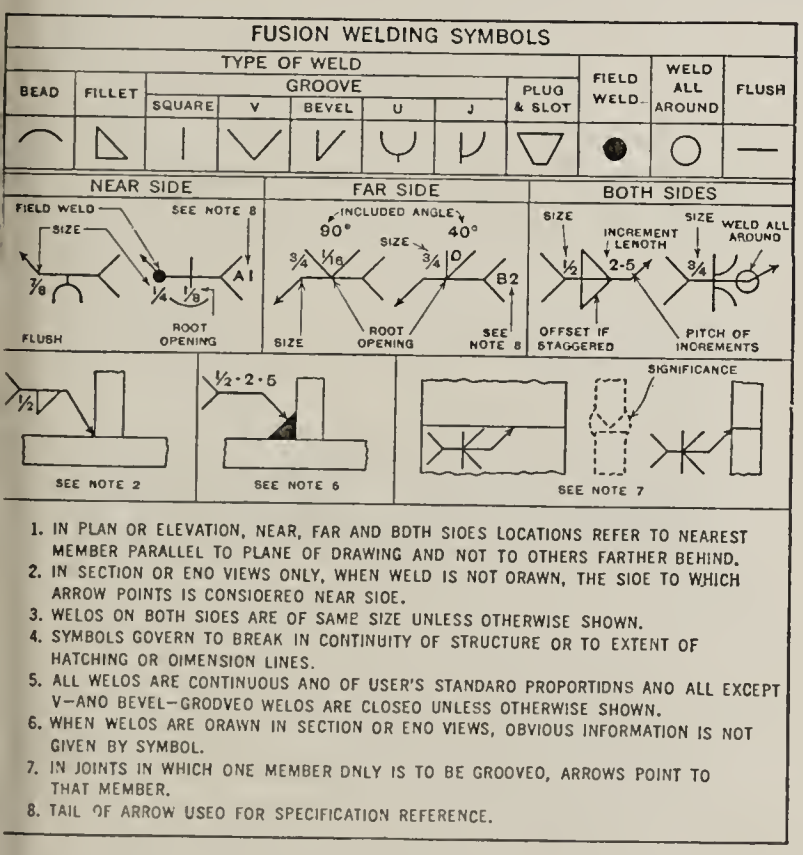
Metal Chimneys and Tanks and all materials entering into their construction, when welded, shall conform to these Rules.

APPENDIX.

The following is not to be considered as part of the Rules for Fusion Welding and Gas Cutting, but is printed for general information only:

. Weld Symbols.

To provide for uniformity when plans are filed with the uperintendent symbols for fusion welding and a method f showing them on drawing shall be as shown in figure 1.



TE: All dimensions in inches.

FIG. 1

. Sizes, Chemical Composition and Tests of Filler Metal.

Standard sizes of filler metal are as follows: 1/16, 3/32, 1/8, 5/32, 3/16, 7/32, 1/4, 5/16 and 3/8 in. in diameter. In the case of coated or covered filler metal, the standard sizes refer to the diameter of the core wire.

TABLE 1.—TENSILE REQUIREMENTS FOR DEPOSITED METAL.

Grade	Base Metal	Treatment of Welded Specimen *a*	All-Weld Tension Test	
			Tensile Strength, min., lb. per sq. in.	Elongation in 2 in., min., per cent
No. 2..	Firebox quality steel plate, tensile strength 55,000 lb. per sq. in., min.; or Steel for bridges, tensile strength 60,000 lb. per sq. in., min., with carbon not over 0.25 per cent and manganese not over 1.00 per cent., or equivalent steels.	stress-relieved	80 000	20*b*
		non-stress-relieved	80 000	15*b*
No. 4..	same as for Grade No. 2	stress-relieved	75 000	20*b*
		non-stress-relieved	75 000	15*b*
No. 10.	same as for Grade No. 2	stress-relieved	60 000	25
		non-stress-relieved	60 000	20
No. 15.	same as for Grade No. 2	stress-relieved	60 000	20
		non-stress-relieved	60 000	17
No. 20.	same as for Grade No. 2	stress-relieved	52 000	10
		non-stress-relieved	55 000	7
No. 30.	same as for Grade No. 2	stress-relieved	45 000	7
		non-stress-relieved	47 000	5
No. 40.	same as for Grade No. 2	stress-relieved	45 000	5
		non-stress-relieved	47 000	3

a Stress-relieving where called for in these specifications is for the purpose of developing the fundamental properties of the weld metal unaltered by locked-up stress. Values obtained from stress-relieved welded specimens are about 5 per cent lower in tensile strength and 10 to 20 per cent higher in ductility than those of non-stress-relieved specimens. The fact that a filler

metal test requires stress-relief signifies only that it must develop the strength required regardless of stress-relief, and not that stress-relief must always be used in actual work. Stress-relieving shall be within the range of 11 00 to 1200 F. for 1 hr. per 1 in. of thickness. Gas-welded specimens may be heat-treated at higher temperatures than the temperature specified above for stress-relief.

b It is immaterial how these high physical properties are obtained, that is, whether by carbon-steel filler metal with manganese and silicon contents or by the use of some other alloying elements, but the total amount of such other elements shall be less than 4 per cent.

CHEMICAL COMPOSITION.

The filler metal shall be capable of depositing metal conforming to the following requirements as to chemical composition:

Phosphorus, max., per cent	0.04
Sulfur, max., per cent	0.04

CHEMICAL ANALYSIS.

For arc-welding electrodes, the sample for analysis shall be prepared as follows: A specimen of standard base metal (see Table 1 below) of sufficient size, shall be prepared, and a pad of five superimposed layers of arc metal deposited thereon. The fifth or top layer shall be ground or machined away and discarded. The fourth layer shall be carefully milled off and used for the analysis specified.

For gas-welding rods, the sample for analysis may be prepared as described in preceding paragraph, except that three layers shall be considered sufficient and the top layer used for the analysis, or analysis may be made of the welding rod. In the latter case, ten rods shall be selected at random from the lot, and milled in such manner as to represent the entire cross-section.

TEST SPECIMENS.

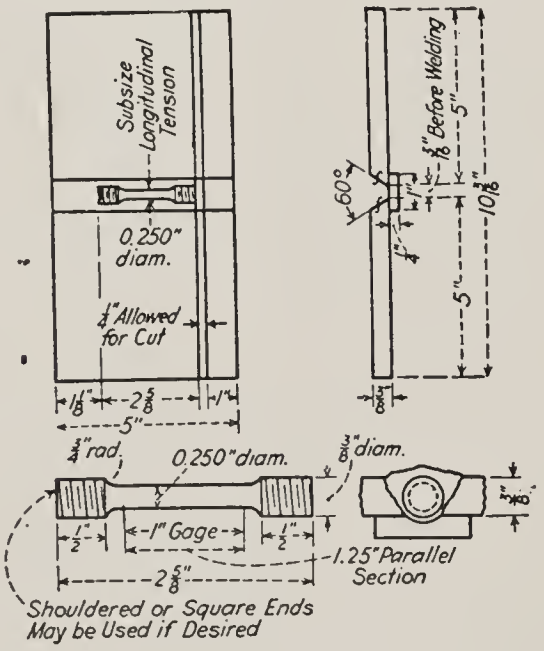
ALL WELD METAL TENSION TESTS. The deposited metal shall conform to the minimum tensile properties specified in Table 1.

SPECIMENS (Test).

From each lot of each size of filler metal, a sufficient number of electrodes or welding rods shall be selected at random and a deposited metal specimen prepared. The specimen shall be prepared in accordance with its proposed use.

For 1/16, 3/32 and 1/8 in. filler metal, a plate 3/8 in. in thickness shall be prepared as illustrated in Fig. 5 and the sub-size all-weld tension specimen prepared as shown.

For 5/32 in. and larger sizes of filler metal, a plate 3/4 in. in thickness shall be prepared as illustrated in Fig. 6 and the tension specimen prepared as shown.



NOTE 1.—The above plate shall be used for 1/8-in. filler metal.
NOTE 2.—Welds shall be deposited in either layers or beads.
NOTE 3.—Welds in vertical position shall be deposited upwards.
NOTE 4.—Electric welds shall cool to at least 100 F. between the deposition of each layer or bead.

Test Plate for 1/8-in. Diameter Filler Metal and Method of Machining Specimen.

FIG. 5

Test plates shall be so supported that warping due to welding shall not throw the finished test plate out of line by an angle of over 5 deg. If plates are warped, they shall be straightened cold before being stress-relieved where required.

SPECIAL TESTS. The Superintendent or his representative may require such additional standard tests as will properly develop the strength of the filler metal.

RETESTS. If any tension test specimen fails, additional test plates shall be prepared at the direction of the inspector.

ELECTRODES FOR MANUAL WELDING. In the case of coated or covered electrodes for manual welding, about 1 in. of the electrode shall be bare or free from coating at the one end for making contact with the holder. The arc end shall be sufficienty bare to permit easy striking of the arc, but the length of the bare portion of the arc end, measured from the end to the point where the full cross-section of the coating obtains, shall not exceed one nominal diameter.

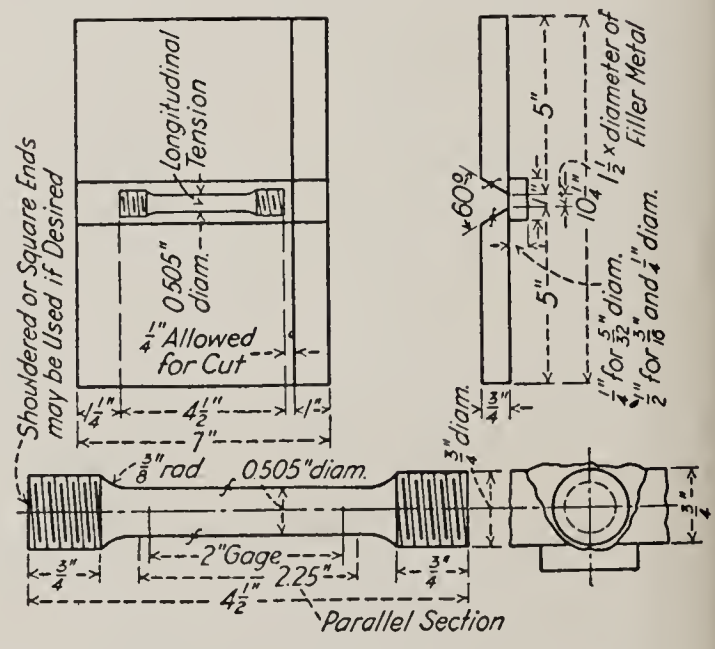
PREPARATION OF FILLER METAL.

Uncoated filler metal and the core of coated or covered filler metal shall be of uniform quality free from injurious segregation, oxides, pipe, seams or other irregularities.

On coated or covered filler metal, the coatings and coverings shall be such that they are not readily damaged by ordinary handling and shall be of commercially uniform thickness and shall present a workmanlike appearance. Coatings and coverings shall be free from injurious scabs, blisters, abnormal pockmarks, bruises or other surface defects.

The surface of gas-welding rods and bare electrodes shall be smooth and free from harmful scale, oil, or grease and shall be plain or copper finished, as specified.

Cross-sectional dimensions shall not vary from that specified by more than 3 per cent.



NOTE 1.—The above plate shall be used for filler metal 5/32-in. in diameter and larger.
NOTE 2.—Welds shall be deposited in either layers or beads.
NOTE 3.—Welds in vertical position shall be deposited upwards.
NOTE 4.—Electric welds shall cool to at least 100 F. between the deposition of each layer or bead.

Test Plate for Filler Metal 5/32-in. in Diameter and Larger and Method of Machining Specimen.

FIG. 6

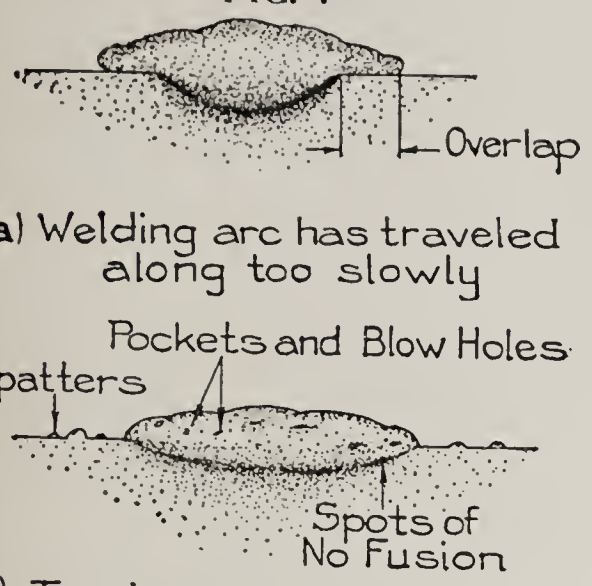
REQUIREMENTS FOR ARC WELDS

III. Bare and Lightly Coated Electrodes.

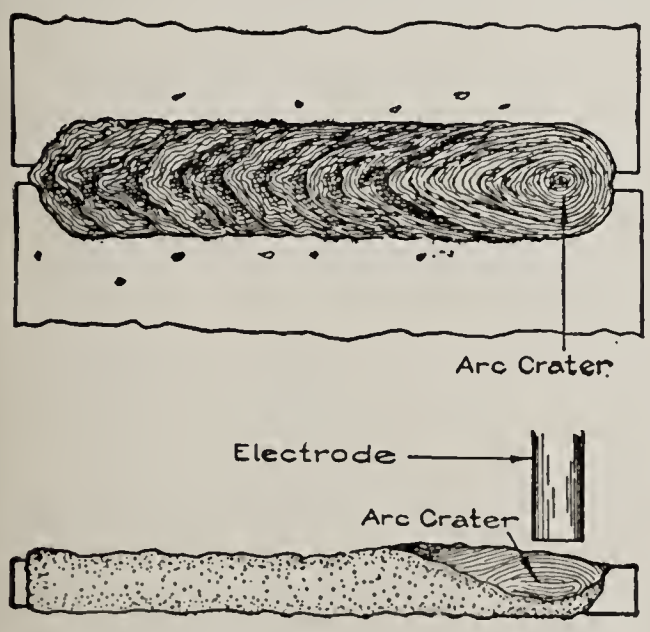
WELDING ARC. Unsound welds, insufficient penetration and overlap in general, resulting from improper ar

length and amount of current and incorrect rate of travel, are prohibited. The characteristics of these different conditions are illustrated in Figs. 7 and 8.

FIG. 7



DEPTH OF CRATER. The depth of arc crater should not be less than 1/16 in. (see Fig. 8).



Longitudinal section of deposited metal showing penetration and arc crater.

FIG. 8

LENGTH OF ARC. In manual metal arc-welding, proper fusion, penetration and soundness of weld shall be secured by using as short an arc as can be maintained for each form of weld. A typical example of proper arc length for given thickness of base metal and for a 3/8-in. fillet weld is shown in Fig. 9. When properly manipulated, the arc will throw a steady shower of small sparks, and (in the case of bare electrodes) will be accompanied by a regular, crackling, snappy sound with fractional intervals less than

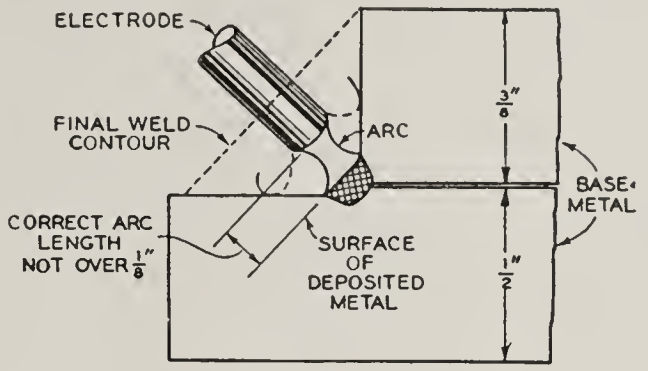


FIG. 9

one-half second between explosions. With a given current, the length of arc depends upon the arc voltage which should not exceed 20 volts.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metals to be joined. Sizes and current values shall conform to those given in Table 2. In special cases other approved sizes and currents may be specified, when permitted by the Superintendent. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding machine panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.

Table 2—Current Values and Sizes of Bare and Lightly Coated Electrodes for Various Sizes of Welds

Size of Weld In.	Minimum Number of Layers	Electrodes and Current Values
1/4	1	In all these cases use either 5/32-in. electrodes with 160-180 amps., or 3/16-in. electrodes with 180-225 amps.
3/8	1	
1/2	2	
5/8	2	
3/4	3	

MANUAL OPERATION OF ARC. The arc shall be started by drawing a long arc momentarily to preheat base metal before deposition of filler material to insure thorough fusion at start of weld, or it shall be started moving a short arc rapidly back and forward over a limited area at start.

In case of a long weld where more than one electrode is used, the arc shall be re-started about 1/4 in. to 3/8 in. ahead of the crater, going back over the crater to properly fill it and keep a uniform contour, thus insuring proper preheating as in start of weld.

On single layer welds the arc shall progress with either a straight forward motion or an oscillatory motion depending on size of joint to be filled to bring it up to proper contour and insure proper fusion in root zone.

In multi-layer welding the first layer shall be deposited by moving the arc in a straight forward motion to secure proper fusion in the root zone, while subsequent layers shall be deposited with an oscillatory motion to build up the weld to the proper contour. The first layer shall be

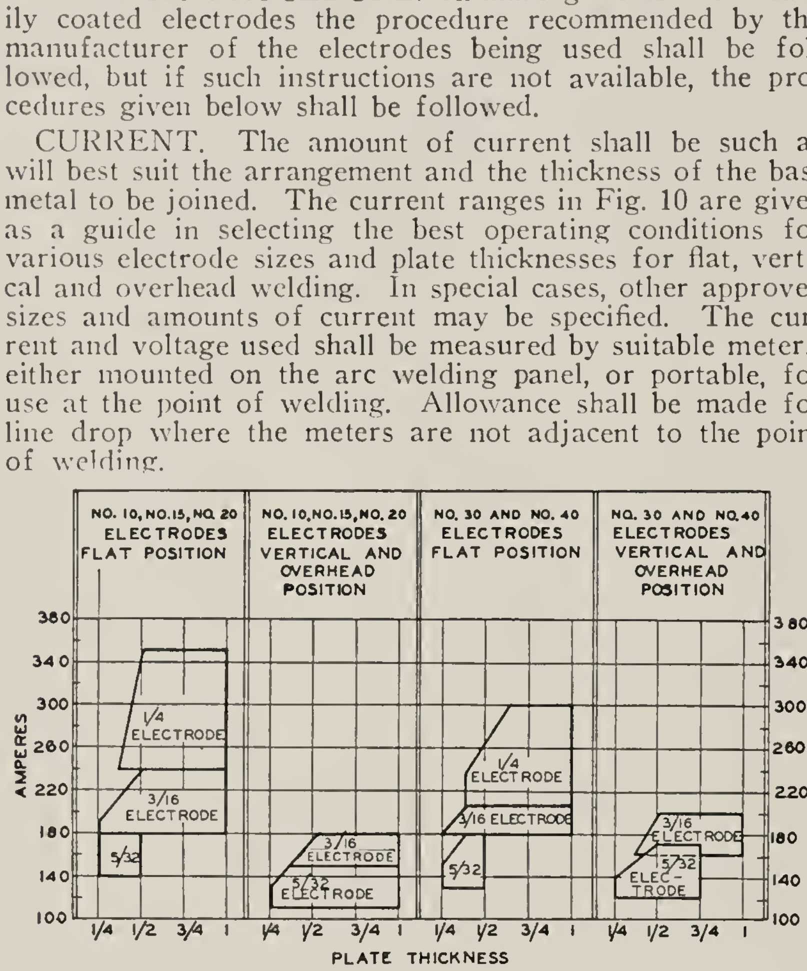
made with an electrode small enough to get thorough penetration at the root zone.

Each layer shall be thoroughly cleaned by brushing or chipping to remove all excess scale and oxides before depositing succeeding layers. The surface of each layer shall be reasonably smooth and uniform in contour.

IV. Heavily Coated Electrodes.

WELDING PROCEDURE. In making welds with heavily coated electrodes the procedure recommended by the manufacturer of the electrodes being used shall be followed, but if such instructions are not available, the procedures given below shall be followed.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metal to be joined. The current ranges in Fig. 10 are given as a guide in selecting the best operating conditions for various electrode sizes and plate thicknesses for flat, vertical and overhead welding. In special cases, other approved sizes and amounts of current may be specified. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.



Current Values and Sizes of Heavily Coated Electrodes for Various Plate Thicknesses for Manually Welded Operations.

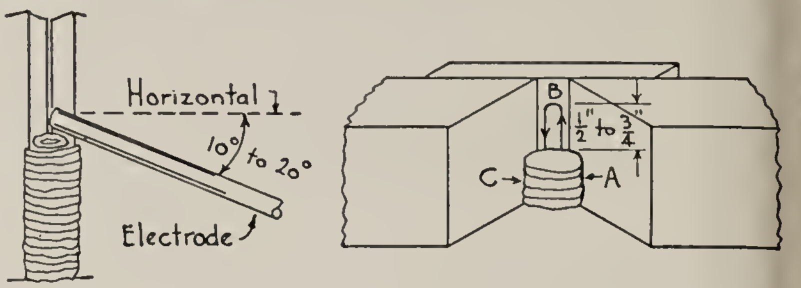
FIG. 10

WELDING PROCEDURE FOR FLAT BUTT WELDS. In making butt welds on bevel joints, weave the electrode from one side of the joint to the other. This weaving may not be necessary on the first pass. These oscillations shall be regulated so that the weld metal fuses into the side walls without directing the arc against the walls. This shail be accomplished by pointing the electrode downward and allowing the outer edges of the arc to play lightly on the walls. A stay shall be made long enough on the turns to insure complete fusion into the side walls.

The travel speed shall be regulated to limit the thickness of the layer per pass to not more than ⅛ in.

WELDING PROCEDURE FOR VERTICAL AND OVERHEAD BUTT WELDS. One-eighth (⅛)-in. and 5/32-in. diameter electrodes should be used in the vertical and overhead welding positions, but the 3/16-in. diameter may be used in vertical welding when necessary.

Vertical welds shall be made by welding upward. The first pass should be started by oscillating or weaving the electrode from side to side (Fig. 11*A*) to produce a weld metal bridge across the "V." Then the arc is to be moved rapidly upward for ½ to ¾ in. along the bottom of the "V" (Fig. 11*B*), drawing a long arc (about 30 volts), and then back down to the crater again (Fig. 11*C*), shortening the arc to its previous length. The movement up and down should require about 1/3 sec. and should be easily accomplished with a bending action of the wrist. Its purpose is to allow the molten metal in the pool to solidify and to preheat the plates ahead of the crater.

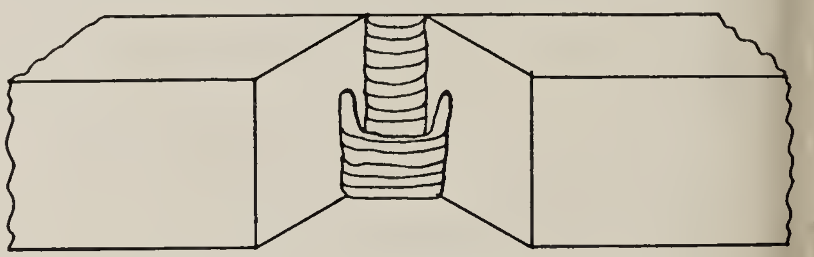


Vertical Butt Weld—First Layer.

FIG. 11

The above cycle of operation shall be repeated all the way up, each time depositing a thin layer of metal on top of the preceding layer. The travel speed on the first pass shall be regulated to limit the deposit to the equivalent of about a ¼-in. fillet weld. On succeeding passes, the thickness shall not exceed ⅛ or 5/32 in. The successive passes shall be made by this up and down technique or by successive horizontal weaving.

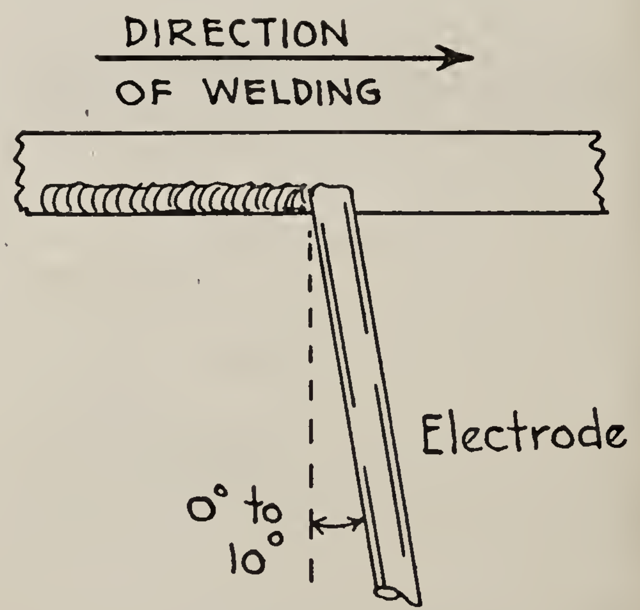
If, in making the second and succeeding passes, a procedure similar to that of the first pass shall be used, the motion (Fig. 12) to be across the pool or shelf, then upward and back at one side of the "V," then across the shelf to the other side, and up and back to the shelf again. The up and down motions shall be done rapidly, lengthening the arc while doing so. If the procedure of weaving straight across is used, it shall be similar to the above except that the up and down motion at each end of the shelf is eliminated.



Vertical Butt Weld—Second Layer.

FIG. 12

For overhead butt welds, the procedure shall be the same as that previously described for vertical welds. The electrode shall be pointed upward and sometimes leaning slightly forward, as shown in Fig. 13. A shelf on which to work shall be deposited at the start and the cycles of operation shall be the same as those for vertical welding.



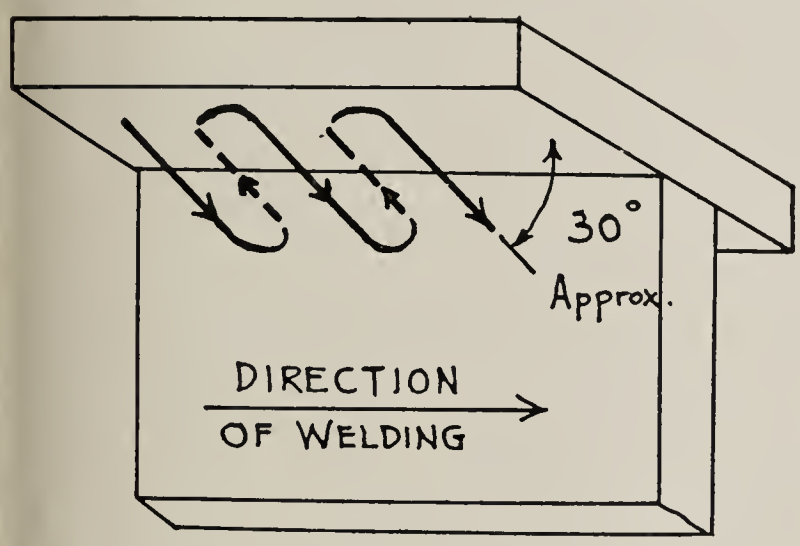
Overhead Butt Weld.

FIG. 13

WELDING PROCEDURE FOR FLAT AND OVERHEAD FILLET WELDS. For light fillet welds (¼ in. or less) and the first pass of multiple pass welds, the electrode shall be moved only in the direction of travel. The second and successive passes or heavy single-pass welds (⅜ in. for example) shall be made by weaving the electrode in a plane making an angle of about 30 degrees with the underside of the plate, as shown in Fig. 14. The solid line represents actual welding. The dotted line represents an upward skip done in about 1/3 sec.

WELDING PROCEDURE FOR VERTICAL FILLET WELDS. Vertical fillet welds shall be made in the same manner as vertical butt welds.

WELDING PROCEDURE FOR MULTI-LAYER FILLET WELDS IN ANY POSITION. In certain cases fillet welds in sizes up to ⅜ in. may be made in a single pass by holding the electrode at a suitable angle and moving it along at a uniform rate. Where the fillet weld

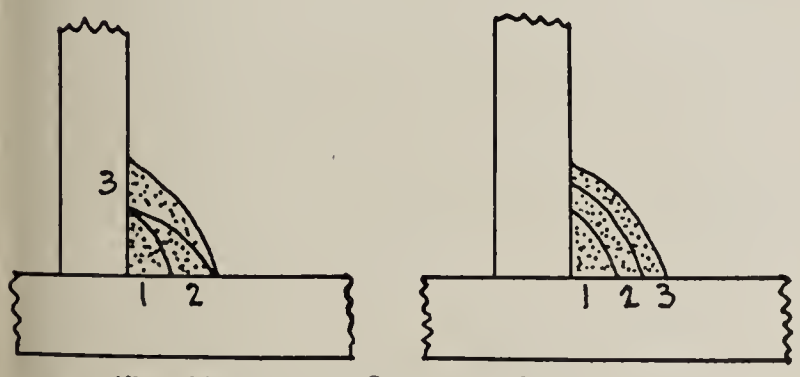


Overhead Fillet Weld.

FIG. 14

requires more than one layer, the second and subsequent layers shall be deposited as a complete spread over the previously deposited metal or in two or more parts as shown in Fig. 15.

ALTERNATE METHODS OF MAKING MULTI-LAYER WELDS



Flat, Vertical, or Overhead Fillet Weld.

FIG. 15

V. Requirements for Gas Welds.

WELDING FLAME. Torches may be either single or multiple flame. The adjustment of the welding flame shall be the same as used in the qualification tests.

The size of the inner cone or inner cones shall be regulated for varying thicknesses of base metal so that the proper amount of heat and flame condition is obtained to properly perform the welding operation. The criterion for welding flame regulation is that the inner cone or inner cones should be of a size and character which produce sufficient heat to maintain the welding puddle in a quiet molten state, and to cause fusion of the welding puddle with the base metal.

The orifice of the welding tip shall be kept clean at all times during the welding operation so that the regular and symmetrical inner cone or cones can be maintained.

WELDING ROD. The size of the welding rod to be used shall be such that the rod shall be of sufficient diameter to maintain the welding puddle in a quiet molten state.

STARTING WELDS. In starting a weld, the base metal shall be heated to a dull red for a distance of from 1 to 2 in. along the joint so that the point of welding can be brought to the fusion temperature evenly before welding rod is added. If the weld is stopped for any reason, the same precautions should be observed upon restarting.

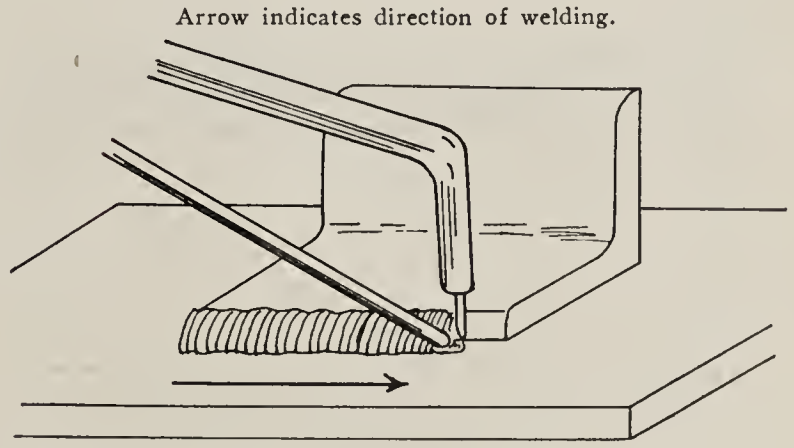
WELDING TECHNIQUE—GENERAL. The welding torch and welding rod shall be manipulated so as to maintain a definite puddle of molten weld metal without overheating either the base metal or deposited metal. The end of the welding rod shall be kept within the limits of the puddle at all times, particular care being taken not to disturb the rear edge of the puddle which might cause slag on the surface to become entrapped in the weld metal. In manipulating the flame, the tip of the inner cone shall preferably not touch either base metal, puddle or welding rod.

Either backhand or forehand technique may be employed. The various positions of welding rod and flame with respect to each other in backhand and forehand techniques are illustrated in Figs. 16 and 17.

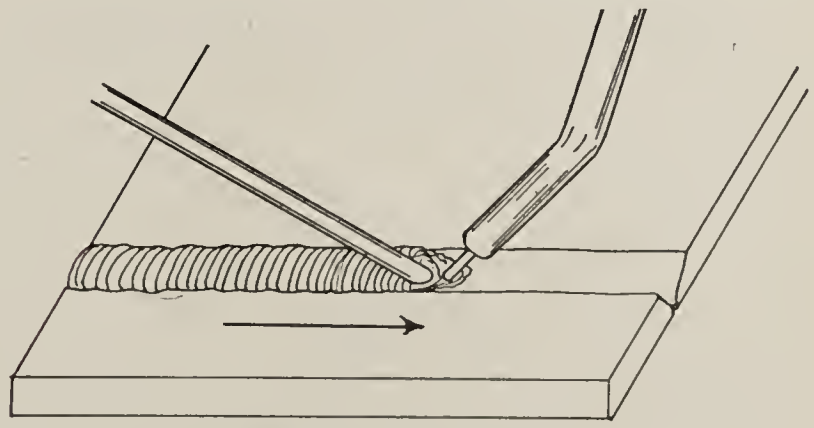
In carrying the puddle forward, the base metal surfaces just in advance of the puddle shall be prepared for fusion with the puddle by melting sufficient surface metal to remove oxides and expose sound base metal. In some cases this depth of melting may be 1/32 in. or less. Manipulation of the rod and flame in controlling the puddle shall

FIG. 16

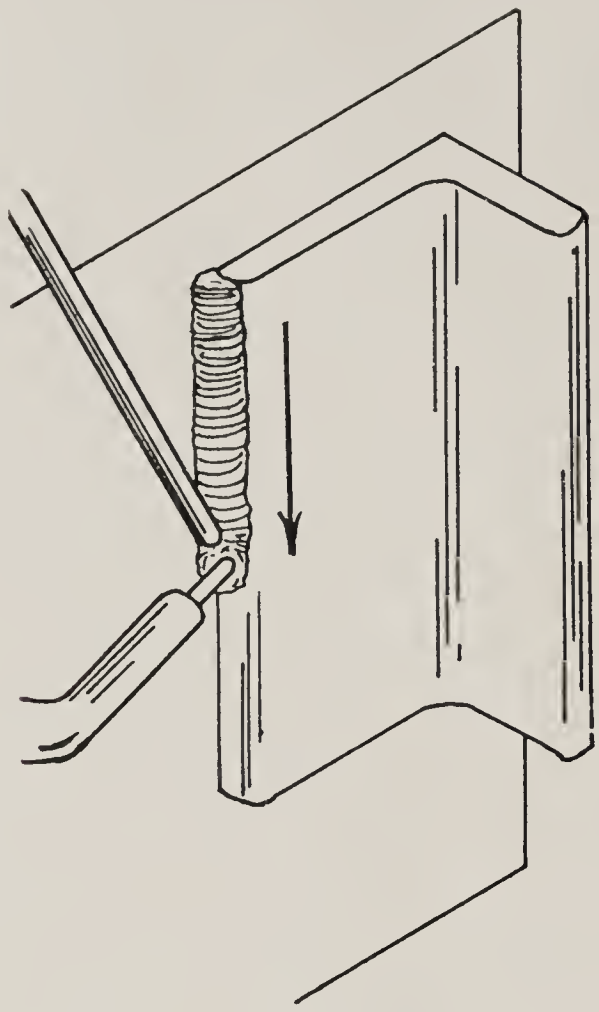
Positions of Rod and Flame in Backhand Technique.
Arrow indicates direction of welding.



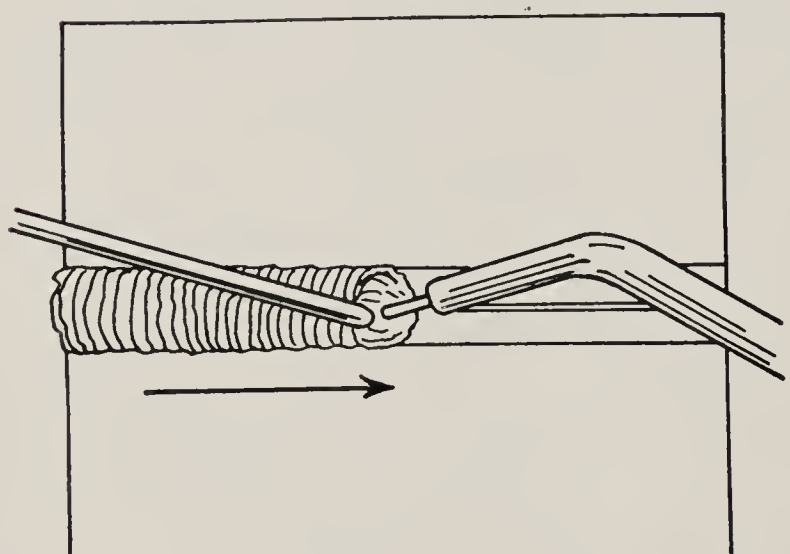
Fillet Weld—Flat Position.



Butt Weld—Flat Position.



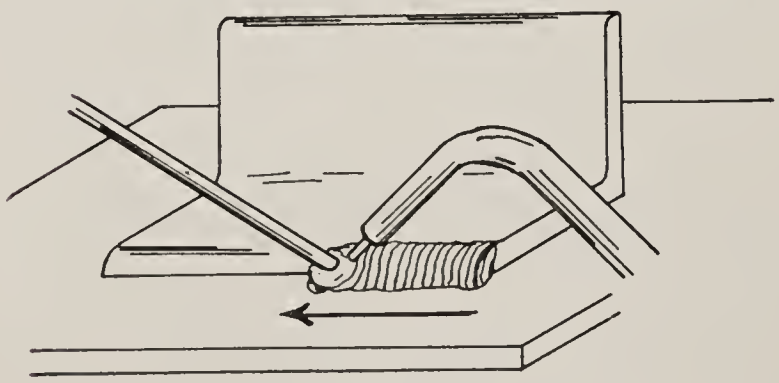
Fillet or Butt Weld—Vertical Position.



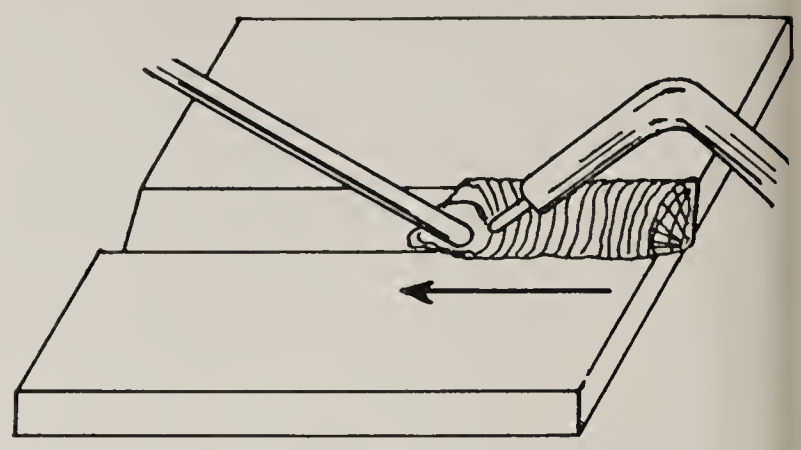
Fillet or Butt Weld—Horizontal Position.

FIG. 17

Positions of Rod and Flame in Forehand Technique.



Fillet Weld—Flat Position.



Butt Weld—Flat Position.

be such that at no time is molten metal from the puddle permitted to flow ahead until this melting has occurred.

For welding in positions other than flat, it shall be permissible to carry a fairly shallow puddle for convenience in controlling it. When using backhand technique, this shall be done by distributing the molten metal in the puddle with the end of the welding rod, providing the puddle is kept sufficiently molten so that surface oxides do not become entrapped in the weld.

FILLET WELDS. When fillet welding in the flat position, there is a tendency for the top plate to melt before the bottom plate. This shall be avoided by pointing the flame more against the lower plate as shown in Figs. 16 and 17. It is essential that fusion be secured at the inside corner or root of the joint, the welding rod and inner cone shall be manipulated so this result will be secured. If desired, the welding rod may be stirred lightly, well within the bounds of the puddle, to maintain a shallow puddle and distribute the molten metal so as to obtain readily welds of proper size and shape.

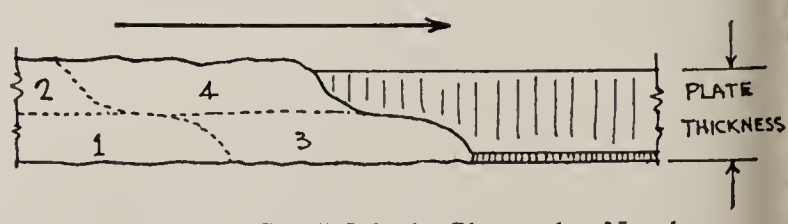
BUTT WELDS. When butt welding in the flat position, manipulation of rod and inner cone shall be such that the bottom of the vee is fused together at the same time but in advance of the upper walls of the vee so that the weight of the puddle does not cause molten metal to sag inside the joint. Where spacing of the joint exceeds 1/6 in., it is allowable to weld the bottom of the vee together in a separate operation, ½ in. to 1 in. at one time ahead of the principal point of welding.

MULTI-LAYER WELDING. Multiple layer welding may be used in place of single layer welding for all positions of welding and thicknesses of metal, but especially for welds of larger size. The criterion shall be the size of puddle that can most effectively be carried by the welder for the particular position of welding. If the completion of a weld in one layer requires a puddle larger than indicated by this criterion, two or more layers shall be made.

The layers of the weld may be made continuously for the full length, or the welding may be done by the "step" method illustrated in Fig. 18.

FIG. 18

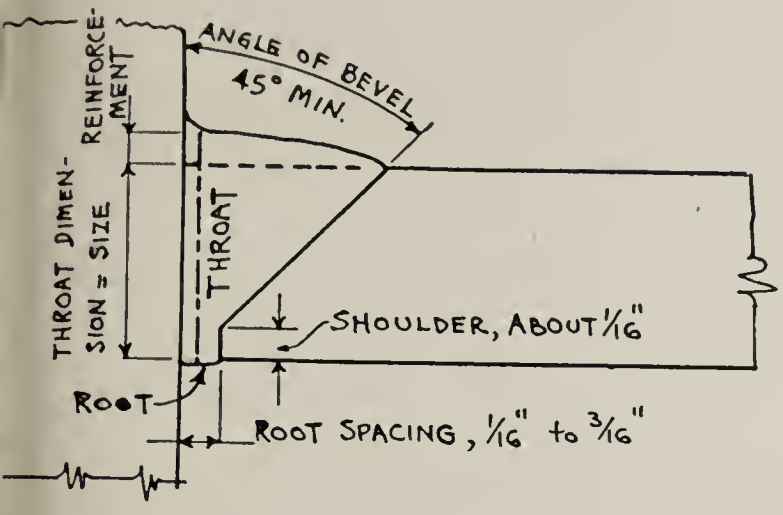
"Step" Method of Multi-Layer Welding.



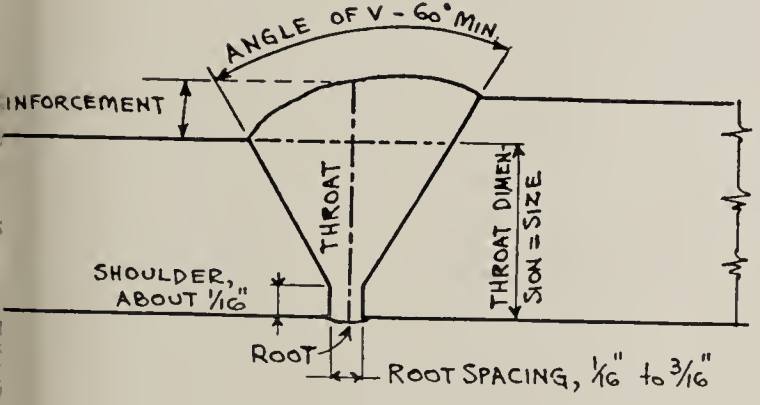
Sequence of "Step" Welds Shown by Numbers.

VI. Illustrations of Butt and Fillet Welds.

FIG. 20

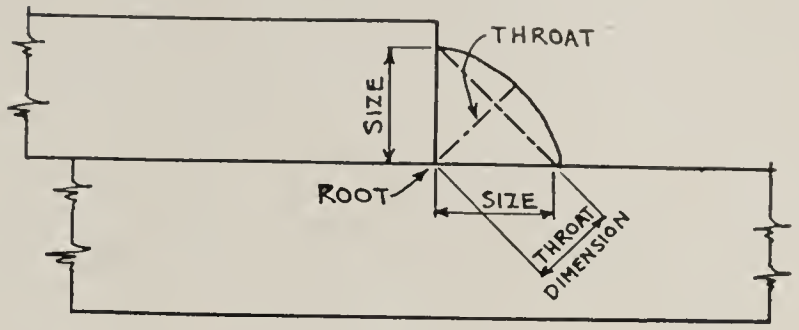


Single Bevel Butt Weld.

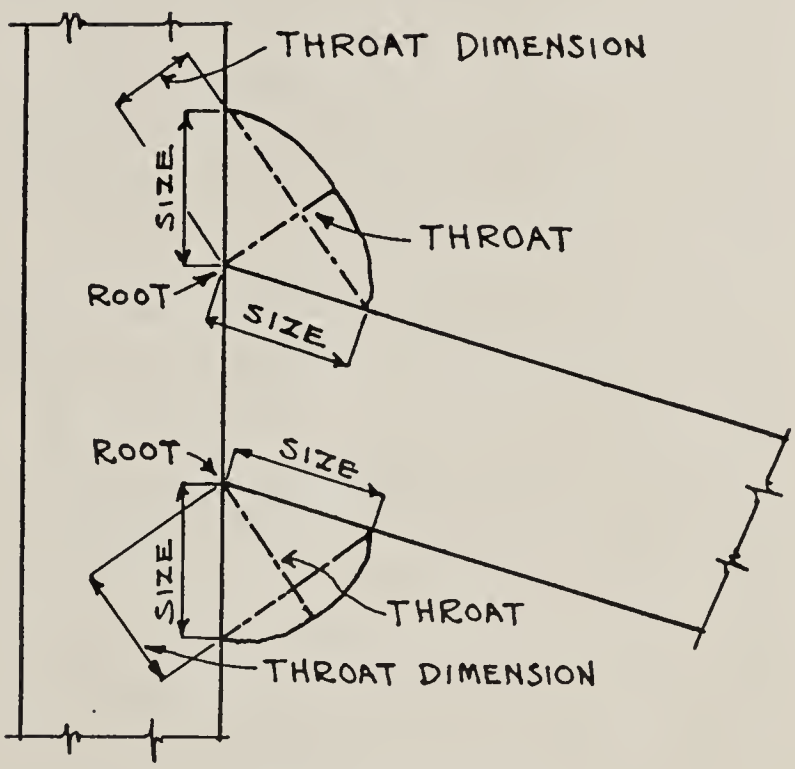


Single-V Butt Weld.

FIG. 21



Right Fillet Weld.



Oblique Fillet Weld.

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

PE A—150 LBS. WATER WORKING PRESSURE

y be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

ame	*Calendar No.*
banks Company	81-20-SA
worth Company	899-27-SA
. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
cer National Fire Prev. Eng. Co.	304-28-SA
ins Brothers	779-28-SA
D. Allen Mfg. Co.	890-28-SA
Simmons Co.	209-29-SA
nell	651-30-SA
art	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

Name	*Calendar No.*
New York Brass Foundry Co. (Stillbech)	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

APPROVED FUEL OIL FILL PIPE TERMINALS

ime	*Calendar No.*
and Mason	10-36-SA
g	345-35-SA
N.	292-35-SA
bury	223-35-SA
erred	213-35-SA

Name	*Calendar No.*
Rhode Island	204-35-SA
Seal-O-Strain	48-35-SA
Sealtite	231-35-SA
Simplex	214-35-SA
Weco	78-38-SA

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths (⅞) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half (2½) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth (¼) of one (1) per cent of steel mesh;

(b) Two and one-half (2½) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half (½) inch plaster boards, or three-eighths (⅜) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter (¼) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches c centers;

(c) Metal lath weighing not less than three pounc per square yard, attached to furring strips and plastere with Portland cement mortar at least three-quartei (¾) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding cei ings in non-fireproof buildings used as garages, motor veh cle repair shops or oil selling stations shall be attached t wood floor beams and girders in such manner as to mair tain an air space between the wood beams and all woc beams shall be seasoned before applying the protective coa

Rule 6. Openings in Fire-Retarding Floors. Pip or conduits which pass through floors shall be fitted wi metal thimbles and made watertight for a height of thr (3) inches above the floor.

Rule 7. Columns. All structural posts and colum in non-fireproof buildings required to be fire-retarded sha be protected with fire-retarding materials specified for cei ing coverings in these rules, or with any of the materia accepted in fireproof construction; except that an air spa shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical i jury, the fire-retarding protection on columns shall l jacketed to a height of five (5) feet from the ground wi No 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buil ings required to be fire-retarded shall be protected with t fire-retarding materials specified for ceiling coverings i these rules, or with any of the materials acceptable in fir proof construction; except that an air space need not l provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways a vertical shafts in non-fireproof business buildings hereaft converted to be used as garages, motor vehicle repair sho or oil selling stations shall be enclosed in fire-retarding pa titions continued through the non-fireproof floor constru tion, and when unfilled wood stud partitions are used, t space between the floor beams shall be fire-stopped wi incombustible materials. All openings in such partitio shall be protected with accepted metal-covered fire doo or windows. Wherever necessary for protection again mechanical injury, the partition shall be jacketed to a heig of five (5) feet on the garage side with No. 4 U. S. gau metal. Any one of the following forms of partitions sha be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not mo than sixteen (16) inches on centers, covered both sid with metal lath weighing not less than three pounds p square yard, attached to furring strips and plaster with Portland cement mortar at least three-quarte (¾) of an inch thick;

(b) Two by four inch wood studs placed not mo than sixteen (16) inches on centers, covered both sid with seven-eighths (⅞) inch wood sheathing, one-ha (½) inch plaster boards with pointed joints and No. U. S. gauge sheet metal with one-inch lapped seams

(c) Two by four inch wood studs spaced not mo than sixteen (16) inches on centers, covered both sid with seven-eighths (⅞) inch wood sheathing, tv thicknesses of one-quarter (¼) inch asbestos boar laid with tight staggered joints and jacketed with N 16 U. S. gauge metal on the garage side to a height five (5) feet;

(d) Two by four inch wood studs spaced not mo than sixteen (16) inches on centers, filled in solid between the studs with four inches of approved fir proof materials and covered on both sides with No. U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitio covered on the garage side with No. 26 U. S. gau sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

Published weekly by the Board of Standards and Appeals at its office, Rooms 1000 to 1018, Municipal Building, New York City.

Vol. XXIII | Subscription $2.50 a year | AUGUST 9, 1938 | Single Copies, 5 cents By Mail, 8 cents | No. 32

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

CONTENTS

his issue of the Bulletin contains, in the order given—

ocket.

ules Directory.

otice of Adjournment.

he Hearing Calendar.

il Burner Rules.

pproved Fuel Oil Pumps.

pproved Burners for Domestic and Commercial Use.

pproved Burners for Industrial Use.

pproved Range Oil Burners and Space Heaters.

re Drill Rules.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to August 2, 1938

Cal. No.	*Department*	*Premises Affected*
670-38-SM		Koppers Built up Roofings, manufactured by Koppers Company, Material.
671-38-S	F.D.	499-507 Carroll street, north side, 200 ft. east of Third avenue and 530-570 President street (Block 49, Lots 13 and 18), Borough of Brooklyn, 434-L.F. and Decision.
672-38-BZ	H.B.Q.	15-62 to 15-66 149th street, west side, 100 ft. south of 15th drive (Block 505, Lot 24), Whitestone, Borough of Queens, N.B. 4602-38 and N.B. 4603-38.
673-38-SM		Johns-Manville One Hour Fire Door, manufactured by Johns-Manville Sales Corporation, Material.
674-38-A	F.D.	155 Quincy street, north side, 60 ft. west of Bedford avenue (Block 1971, Lot 33), Borough of Brooklyn, 75555-L.C. and Decision.
675-38-SA		Purexhaust Fume, Smoke and Carbon Monoxide Eliminator, Appliance.
676-38-BZ	H.B.B.	75-81 Herbert street, north side, 50 ft. east of North Henry street (Block 2828, Lot 1), Borough of Brooklyn, Applic. 9097-38.
677-38-A	F.D.	52 Sands street, northeast corner of Adams street (Block 86, Lot 7), Borough of Brooklyn, 75857-L.C.
678-38-BZ	H.B.Bx	1555 Sheridan avenue, west side, 236.73 ft. south of Mt. Eden avenue (Block 2821, Lots 61-63-64), Borough of The Bronx, N.B. 313-38.
679-38-SA		Humphrey Gas Unit Heaters, Models 60, 65, 85, 100, 125 and 200, Appliance.
680-38-BZ	H.B.B.	2802-2876 West 12th street, west side, 660 ft. north of Surf avenue (Block 7266, Lot 9), Borough of Brooklyn, Applic. 10888-38.
681-38-A	F.D.	15 Westchester square, west side, 30 ft. south of Benson street (Block 3981, Lot 21), Borough of The Bronx, 13109-L.C.
682-38-A	F.D.	73-79 Henry street, northwest corner of Forsyth street and 75-85 East Broadway (Block 282, part of Lot 3), Borough of Manhattan, Decision re: 607-38
683-38-SA		Janitrol Gas Unit Heater, Models UG 60-37, 85-37, 100-37, 125-37, 160-37, 200-37 and UG 400, CG 60-37, 85-37, 100-37, 125-37, 160-37, 200-37 and CG 200, Appliance
684-38-BZ	H.B.Bx	2050-2066 White Plains road southeast corner of Bradford avenue and northeast corner of Bronxdale avenue (Block 4284, Lots 5-11-13-15), Borough of The Bronx, Decision

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules	May 31, 1938—Vol. 23, No. 2
Certificate of Occupancy, approved form	July 19, 1938—Vol. 23, No. 2
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 2
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 3
Elevator Rules	Mar. 3, 1936—Vol. 21, No.
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 2
Factory Exit Rules	May 24, 1938—Vol. 23, No. 2
Fire Alarm Rules (Interior)	July 12, 1938—Vol. 23, No. 2
Fire Drill Rules	Aug. 9, 1938—Vol. 23, No. 3
Fire Retarding Rules for Garages, etc.	Aug. 2, 1938—Vol. 23, No. 3
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 1
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No.
Fusion Welding and Gas Cutting Rules	Aug. 2, 1938—Vol. 23, No. 3
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 1
Hatchway Protection	June 5, 1928—Vol. 13, No. 2
Oil Burner Rules	Aug. 9, 1938—Vol. 23, No. 3
Paint, Varnish and Lacquer Spraying Rules	April 26, 1938—Vol. 23, No. 1
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 4
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 3
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 3
Refrigerating Systems, Extract C.O.	June 14, 1938—Vol. 23, No. 2
Smoking in Factories, Rules for	June 28, 1938—Vol. 23, No. 2
Sprinkler Rules	June 29, 1937—Vol. 22, No. 2
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 2
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 2
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 4
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 4
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 1

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 1
Fireline Hose Valves	Aug. 2, 1938—Vol. 23, No. 3
Fuel Oil Burners for Domestic and Commercial Use	Aug. 9, 1938—Vol. 23, No. 3
Fuel Oil Fill Pipe Terminals	Aug. 2, 1938—Vol. 23, No. 3
Fuel Oil Burners for Industrial Use	Aug. 9, 1938—Vol. 23, No. 3
Fuel Oil Pumps	Aug. 9, 1938—Vol. 23, No. 3
Paint, Varnish and Lacquer Spraying Equipment	April 26, 1938—Vol. 23, No. 1
Range Oil Burners and Space Heaters	Aug. 9, 1938—Vol. 23, No. 3

ADJOURNMENT

Notice is hereby given that the next regular meeting of the Board of Standards and Appeals will be held on Tuesday, September 13, 1938, *at* 10 *a.m.*

CALENDAR

AUGUST 16, 1938, 10 A. M.

SPECIAL MEETING

Appeals from Administrative Orders

650-38-A—37-02 to 37-08 Main street, southwest corner of 37th avenue (Block No. 4971, Lot 27), Flushing, Borough of Queens.

665-38-A—513 Neptune avenue and 2804-2814 Holmes street, northwest corner (Block No. 7251, part of Lot No. 1), Borough of Brooklyn.

667-38-A—1211 Madison avenue and 49 East 87th street, northeast corner (Block No. 1499, Lot No. 20), Borough of Manhattan.

674-38-A—155 Quincy street, north side, 60 ft. west of Bedford avenue (Block No. 1971, Lot No. 33), Borough of Brooklyn.

677-38-A—52 Sands street, northeast corner of Adams street (Block No. 86, Lot No. 7), Borough of Brooklyn.

682-38-A—73-79 Henry street, northwest corner of Forsyth street and 75-85 East Broadway (Block No. 282, part of Lot No. 3), Borough of Manhattan.

686-38-A—Pier No. 41, foot of 50th street, 533 ft. west of 1st avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.

687-38-A—Pier No. 2, foot of 49th street, 533 ft. west of 1st avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.

688-38-A—Pier No. 3, foot of 47th street, 533 ft. west of 1st avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.

689-38-A—Pier No. 4, foot of 46th street, 533 ft. west of 1st avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.

690-38-A—Pier No. 5, foot of 44th street, 533 ft. west of 1st avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.

691-38-A—Pier No. 6, foot of 42nd street, 513.08 ft. west of 1st avenue (Block Nos. 715 and 720, Lot No. 1), East River, Borough of Brooklyn.

693-38-A—101 North Oxford street, east side, 422 ft. 3 in. south of Park avenue (Block No. 2042, Lot No. 26), Borough of Brooklyn.

696-38-A—West side of 75th street, between Roosevelt avenue and 37th road (Block No. 1285, Lot No. 71), Jackson Heights, Borough of Queens.

695-38-A—49 South street, northwest corner of Gouverneur lane (Block No. 35, Lot No. 40), Borough of Manhattan.

699-38-A—21-29 Hopkins street, north side, 230 ft. east of Nostrand avenue (Block No. 1719, Lot No. 66), Borough of Brooklyn.

700-38-A—Pier No. 7, foot of 41st street, 1335 ft. west of 2nd avenue (Block No. 710, Lot No. 1), East River, Borough of Brooklyn.

706-38-A—Re Sale, use, transportation and storage of Anti-Freeze (inflammable mixture) known as "Richfield Super Anti-Freeze" in non-refillable cans in New York City.

707-38-A—4302-4320 Second avenue, entire block, 43rd, 44th streets, 1st and 2nd avenues (Block No. 726, Lot No. 1), Borough of Brooklyn.

Variations of Labor Law

661-38-S—1646-1650 Coney Island avenue, west side, 100 ft. south of Avenue M (Block No. 6573, Lot No. 12), Borough of Brooklyn.

697-38-S—576-578 Fifth avenue, southwest corner of West 47th street (Block No. 1262, Lot No. 41), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, nd to all lawyers, architects and engineers representing wners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack f prosecution is likely to result.

Second, That due and ample notice of the date set for earing is provided in the publication in this BULLETIN of e calendars of the board, each case being set down by alendar Number and premises under the date of the earing.

Third, That no plea of ignorance of the date of the aring can be entertained in view of this publication and the posting of the calendars on the bulletin board in the offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendancy of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Copies of the Official Directory of the City of New ork for the year 1938 (The Little Green Book), containg the latest authentic information in relation to City, ate and Federal Departments, Bureaus, Offices and Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

[a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.

[b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

2.2 APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

2.3 AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

2.4 BURNER: A device designed for the purpose of burning oil.

2.5 COMMERCIAL INSTALLATIONS—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.

2.6 CONTROLS—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.

2.7 DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

2.8 DOMESTIC INSTALLATIONS—Oil burner installations installed in dwellings as defined in these rules.

2.9 DWELLINGS: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

2.10 ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:

2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162″) A.W.G. wire, or pipe not less than one-half inch (½″) in diameter

2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2′) below the surface of the earth.

2.11 FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

2.12 FIRE RETARDING MATERIALS:

2.12.1 One-half (½) inch plaster boards, or asbestos boards, or three-eighths (⅜) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seam nailed to the wood beams when spaced not more than sixteen (16) inches on centers or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

2.12.2 Two thicknesses of one-quarter (¼) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) inch thick.

2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

2.13 GROUND: An electrical conductor having capacity to absorb current.

2.14 INDUSTRIAL INSTALLATIONS: Oil burner installations for industrial purposes.

2.15 OIL: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.

2.16 OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

2.17 OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

2.20 PERMIT: Shall mean permit for storage of oil.

2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.

2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.

2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.

2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

ule 3. Oil Permitted.

] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (American Society for Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A. P. I.)	40–44°
No. 1 Fuel Oil	"	"	"	36–40°
No. 2 " "	"	"	"	32–36°
No. 3 " "	"	"	"	28–32°
No. 4 " "	"	"	"	24° +
No. 5 " "	"	"	"	18° +
No. 6 " "	"	"	"	10° +

[b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

[a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.

[b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.

[c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

[a] 5.1.1 All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plates shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.

[b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.

[c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:

Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.

Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.

Tanks 73 to 120 in. in diameter—5/16 in. shell, ⅜ in. heads.

Tanks over 120 in. in diameter to be of ⅜ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

[d] 5.1.4 All cylindrical, oval or abround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell ¼ in. thick, ⅝ in. in diameter rivets 2¼ in. pitch.

In shell 5/16 in. thick, ⅝ in. in diameter rivets 2⅜ in. pitch.

In shell ⅜ in. thick, ¾ in. in diameter rivets 2½ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than 5/16 of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be ⅝ of an inch in diameter and spaced not more than 2¼ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch (¼") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be ¼ inch and the minimum thickness of roof plates ⅛ inch.

The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals} \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted water-tight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formular for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

5.5 Storage Containers.

[a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

ule 6. Location of Tanks.

6.1 Inside of Buildings.

[a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7′), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.

[b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4″) of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2″ x 2″ mesh, and extending at least four inches (4″) beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart.
Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8″) in thickness and of dimension not less than fifteen inches (15″) greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2′) above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25′) along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10′) along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.

c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

[d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

[a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2′) below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1″) mesh. When necessary to prevent floating, tanks shall be securely anchored.

[b] 6.2.2 Along the line of subways no tank shall be placed within twenty (20′) feet of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

[c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.

[d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground.

[a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter (1¼) tank diameters and in no case less than ten feet (10′) from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "
If distant 50 feet.....	48,000 "
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more	100,000 "

[b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half (1½) times the capacity of the tank so surrounded and shall be at least four feet (4′) high but in no case higher than one-fourth (¼) the height of the tank when the height of the tank exceeds sixteen feet (16′). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3′) and a slope of at

least one and one-half (1½) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

[c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

[a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

[b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch (⅜") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.

[c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

[a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

[b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.

[c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half (1½) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

[a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.

[b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.

[c] 7.3.3 Vents shall be not less than one and one-quarter inches (1¼") in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than ½ inch in diameter and may be run into the storage tank vent.

[d] 7.3.4 Vent pipes shall be provided with weatherproof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

[a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.

[b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.

[c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

[d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than ⅛ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

7.6 Scavenging Line.

7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

[a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

[b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.

[c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:

8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50′) above the street level. Only one oil delivery line shall be installed for each floor.

8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2″) iron pipe size.

8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:

Temperature control
Ignition "
Stack or
Combustion "
Pressure "
Gravity "

8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impractical such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

[e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

[f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

[a] 9.1 All tanks located inside of buildings shall be provided with an oil level in indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.

[b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.

[c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

10.1 Permits.

[a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.

[b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Commissioner of Buildings when required under Rule 10.2.

[c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Commissioner of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by Code of Ordinances.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by ¼ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating device protected by a shield of ½" asbestos or equiva

lent extending at least twelve (12") inches beyond the outline dimension of such device where required within the specific approval of each burner.

[g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

[a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.

[b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic shall, when operating, be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of Section 409 of the Charter of the City of New York, shall not be required to obtain such certificate.

Rule 16. Modification.

16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

Name of Pump	*Calendar No.*
American Marsh Duplex	638-25-SA
American Marsh Simplex	639-25-SA
Autopulse Electric Fuel Oil Pump	215-31-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA
Ballard Duplex Electric Driven Pump Set	1413-22-SA
Beach Russ Co. Rotary	1134-22-SA
Blackmer Rotary	935-24-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA
Century Rotary	908-21-SA
Cook Electric Oil Pump	603-25-SA
Davidson	590-21-SA
Dean Bros. Durable Duplex	840-22-SA
DeLaval IMO Oil Pump	628-32-SA
Deming Double Oscillating Force Pump	458-27-SA
Deming Fuel Oil Pump	298-31-SA
Enterprise Oil Pump	11-28-SA
Exeter Rotary	507-22-SA
General Electric Oil Pump	475-32-SA
Goulds Hand Rotary	1133-25-SA
Goulds Rotary Oil Pump	437-31-SA
Goulds Triplex Plunger	257-22-SA
Hardinge Fuel Oil Pump	813-25-SA
Hinney Rotating Plunger Pump	503-24-SA
Hoerting Gear Pump	1264-25-SA
Kraissl Fuel Oil Pump	60-28-SA
Kriman Rotary	95-24-SA
Marsh Fuel Oil Pump	1050-23-SA
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
M. D. Rotary	52-27-SA
Milwaukee Piston Rotating Port Pump	763-25-SA
Monroe Oil Pump	658-26-SA
National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Northern Rotary	1396-24-SA
Pascoe Pump Set	1029-26-SA
Petro-Nokol Industrial Oil Pump	570-32-SA
Quiet May Gerotor Pump	267-32-SA
Quimby Screw Pump	1193-21-SA
Range-O-Matic Oil Pump, Model 50 and Suction Model	102-35-SA
Ray, Rotary	588-25-SA
Rotary Pressure Pump	1060-25-SA
Rotary Vacuum Pump	513-25-SA
Samson Magnetic Fuel Oil Pump	163-34-SA
S. B. U. Pumps, Models A, B, C and D	410-32-SA
Sundstrand Fuel Unit (Pump), Models 7-OB and 77-OB	199-36-SA
Tate-Jones	492-21-SA
Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
Teesdale Oil Pump, Types S, 2S and 4S	281-38-SA
Tuthill Model B Fuel Oil Pump	60-28-SA
Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-SA
Union Steam Pump for Fuel Oil	705-30-SA
Viking	438-21-SA
Warren Oil Pump	1169-23-SA
Wayne Oil Pump & Fan Set	1155-25-SA
Webster Fuel Oil Pump, Types A, Q and T	23-34-SA
Worthington Duplex Double-Acting Steam Pump	184-22-SA
Worthington Show Model Duplex	194-22-SA

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

Name of Burner	*Calendar No.*
A. B. C. Oil Burner	1295-24-SA
A. B. C. Oil Burner, Type H	684-29-SA
Ace Rotary Oil Burner	47-35-SA
Acme Automatic Oil Burner (Gun Type) Model A-1	112-36-SA
Acme Oil Burner, Models BO-1 and BO-2	132-34-SA
Aetna Automatic Oil Burner	1547-23-SA
Air-Blast Oil Burner	579-32-SA
Airnoil Burner	175-37-SA
Airtemp Oil Burner, Models B-6 and C-6	139-36-SA
Airtemp Oil Burner, Models D, F and G	88-34-SA
Alladin Oil Burner	298-26-SA
Alexander Oil Burner	65-28-SA
Alida Oil Burner	124-34-SA
Alida-Remington Oil Burner	124-34-SA
Alpine Oil Burner, Models A and H	110-36-SA
American Blue Flame and Sun Flame Oil Burning Heaters, Models No. 73, 86, 88, 92, 93, 94, 95, 96, 4512, 4518, 4528, 4538, 4562, 4563, 4573, 4578, 4588, 4688, 4678, 4668, 4666, 4683, 4663, 4653, 4673, 4674, 4664, 4612, 4618, 4628, 4638, 4788, 4778, 4768, 4783, 4763, 4753, 4773, 4712, 4718, 4721 and 4738	298-33-SA
Arcoflame Oil Burner	426-38-SA
Aristocrat Oil Burner	222-35-SA
Associated Oil Burner	178-35-SA
Auto Heat Oil Burner	284-33-SA
Autocrat Oil Burner, Model B-1	297-31-SA
Automatic Airless Oil Burner, Model No. 1	53-34-SA
Baker Automatic House Heating Burner	1323-22-SA
Baker Oil Burner, Model L, Gun Type	404-29-SA
Baker Perkins Atomizing Type, Mechanical Draft Oil Burner, Types C and CD	329-35-SA
Ballard Baby Grand Oil Burner	447-32-SA
Ballard Oil Burner, Models B-A, 1, 2, 3 and 4	447-32-SA
Ballard Super Domestic Oil Burner	939-24-SA
Bauer Oil Burner	129-37-SA
Bayard Domestic Fuel Oil Burner	1184-22-SA
Benat Oil Burner, Models A, B and E	23-37-SA
Berggren Oil Burner	764-26-SA
Bethlehem-Doe Oil Burner, Models CE, FE, F, G and H	116-37-SA
Bethlehem-Hering Oil Burner, Models CE, FE, F, G and H	116-37-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA
Bettendorf Automatic Oil Burner, Models D, F and G	88-34-SA
Bettendorf "Double Heat" Automatic Oil Burner, Models MV and MW	505-37-SA
Bettendorf High Pressure Oil Burner	479-31-SA
Bettendorf Oil Burner	731-28-SA
Bettendorf Oil Burner, Model H.B	498-32-SA
Bock Oil Burner, Models A, B, C and D	123-31-SA
Bock Oil Burner, Models WH-3, WH-5, WH-6 and WH-8	102-34-SA
Borden Oil Burner, Model B	29-37-SA
Braden Automatic Fuel Oil Burner	322-30-SA
Branford Oil Burner	36-31-SA
Branford Oil Burner, Model "A"	461-32-SA
Brighton Oil Burner	372-33-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA
Caloroil Burner, Type AA	1361-24-SA
Caloroil Horizontal Rotary Oil Burner, Models 1, 2, 3, 4, 5 and 6	327-31-SA
Camel Automatic Oil Burner, Model 30, Types A. B and C and Models J and A.S	229-32-SA
Capitol Oil Burner, Models A, B and E	23-37-SA
Carboradiant Oil Burner, Models V & VS	16-31-SA
Carboradiant Oil Burner, Model VSS	49-32-SA
Carborundum Burner	571-29-SA
Carrier Oil Burner, Models CE, FE, F, G and H	116-37-SA
Cardinal Oil Burner, Model C	50-37-SA
Carter-Korth Oil Burner, Model "P"	389-32-SA
Carter-Korth Oil Burner	54-30-SA
Carter Oil Burner, Models, 4X, 5X, 6X and 10X	117-34-SA
Ceco Oil Burner	354-35-SA
Central Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Century Oil Burner	157-28-SA
Century Pressing Machine Oil Burner, Models U1 and U2	25-37-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA
Challenger Oil Burner, Model "A"	86-34-SA
Chalmers-Ace (Rotary) Oil Burner	47-35-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA
Citro Oil Burner, Models A and B	86-36-SA
Clark Domestic Gun Type Oil Burner, Models EJ-1 and EJ-2	579-37-SA
Clark Horizontal Rotary Oil Burner	618-37-SA
Commonwealth Automatic Oil Burner	348-28-SA
Concord Burner	108-35-SA
Conservoil Burner, Models H-1C and H-1F	155-37-SA
Continential Oil Burner, Models A, B and C	146-31-SA
Cook's Automatic Oil Burner	955-27-SA
Cope-Swift Safety Automatic Oil Burner	354-31-SA
Craftsman Oil Burner	222-35-SA
Crano Oil Burner, Models H-IC and H-IF	155-37-SA
Crater Automatic Oil Burner	34-34-SA
Crescent Oil Burner	222-29-SA
Crescent Type M Size I Oil Burner and Models 8, 18 and 28	592-31-SA
Creveling Oil Burner, Models A, B and E	23-37-SA
Crown Oil Burner, Type XA	426-29-SA
Crystal Blue Flame Oil Burner	423-29-SA
Dahl Vaporizing Oil Burner	915-26-SA
D'Elia Oil Burner	155-31-SA
Delco Heat Oil Burner	420-31-SA
Demand Oil Burner	108-34-SA
DeWalt Oil Burner	541-31-SA
Diesel-American Oil Burner, Model D-A-1	6-37-SA
Diesel Oil Burner	354-35-SA
Dist-o-matic Oil Burner	663-28-SA
Doe Oil Burner	317-31-SA
Doherty Oil Burner	943-26-SA
Draft-Rite Oil Burner	178-35-SA
Dupont Oil Burner	248-36-SA
Easternoil Automatic Oil Burner, Models A, B and C	600-31-SA
Econ-O-Heat Oil Burner, Model E	130-37-SA
Econ-O-Mizer Oil Burner, Models E, M and A	393-38-SA
Economy Oil Burner, Type A-1	45-31-SA
Edison Oil Burner, Models A, B and E	23-37-SA
Eisler Automatic Oil Burner	481-27-SA
Elec-tro-matic Oil Burner, Type 151	125-33-SA
Electrol Automatic Oil Burner and Models BB, C, EA, TCV, TUV and TM	259-25-SA
Ember-Glo Oil Burner	462-32-SA
Empire Oil Burner	222-35-SA
Enterprise Rotary Fuel Oil Burner	1149-27-SA
Enterprise Steam Atomizing Burner	15-33-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3	225-32-SA
Espo Oil Gas Burner	1431-23-SA
Esso Oil Burner, Models E.B. 1 and 2	520-31-SA
Esso Oil Burner, Models E.B. 3, 4 and 5	109-31-SA
Evenheet Oil Burner	554-32-SA
Everedy Oil Burner	102-33-SA

APPROVED APPLIANCES

Name of Burner	*Calendar No.*
Fairfield Oil Burner	584-31-SA
Faultless Oil Burner	493-24-SA
Fine-Glo Oil Burner	178-35-SA
Fitzgibbons Oil Burner, Model M	172-37-SA
Flex-O-Gas Oil Burner for Pressing Machine, Model T-2	125-36-SA
Fluid Heat Domestic Oil Burner, Type O	1094-27-SA
Fluid Heat (Gun Type) Oil Burner, Model P	134-35-SA
Fluid Heat Oil Burner	361-32-SA
Forsdraft Oil Burner	41-34-SA
Foster Oil Burner	715-26-SA
Franklin Domestic Oil Burner	560-26-SA
Freeport-Silent Service Oil Burner, Models 5, 10 and 30	97-33-SA
Fuelo Oil Burner	47-30-SA
Gar Wood Oil Burner	373-30-SA
Gar Wood Oil Burner, Models K, K-3500, T and W	481-32-SA
General Automatic Oil Burner, Model A	60-36-SA
General Electric Fuel Oil Burner	434-32-SA
General Electric Oil Burner, Type DA-2	228-33-SA
General Electric Oil Burner, Type DB-2	201-38-SA
Ghapco Steam Generator	348-31-SA
Gilbarco-Ballard Heavy Oil Burner, Models BM, DM, FM, HM, BS, DS, FS, HS, BA, DA, FA, HA, BPM, DPM, FPM, HPM, BPS, DPS, FPS, HPS, BPA, DPA, FPA, HPA, BPW, DPW, FPW, HPW, BPH, DPH, FPH and HPH	1493-22-SA
Gilbarco G.B.O. Oil Burner	282-33-SA
Gilbarco Industrial Burner	350-32-SA
Gilbarco Oil Burner, Models G.B. 1 and 2	520-31-SA
Gilbarco Oil Burner, Models G.B. 3, 4 and 5	109-31-SA
Gilbert & Barker Flexible Flame Burner	109-31-SA
Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Gilbert & Barker Oil Burner, Model S-1	282-33-SA
Gilbert-Bethlehem Oil Burner, Models CE, FE, F, G and H	116-37-SA
Gill Oil Burner	1231-23-SA
Gold Star Oil Burner, Models F, S, J and J-1	166-33-SA
Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Goodspeed Automatic Oil Burner	957-27-SA
Goodspeed Oil Burner, Nozzle Type 2	346-33-SA
Gould Automatic Oil Burner	178-35-SA
Grant Oil Burner	382-26-SA
Grant Oil Burner, Model "C"	232-32-SA
Hardinge Oil Burner	813-25-SA
Hardinge Oil Burner, Model 23	33-33-SA
Harris Fuel Oil Burner	690-30-SA
Hart Automatic Oil Burner	1162-24-SA
Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Hart Oil Burner, Model "H"	221-33-SA
Hauck Venturi Low Pressure Oil Burner	88-27-SA
Haywood Oil Burner (Vertical Rotary), Models AG, BG, CG, DG, AP, BP, CP and DP	696-30-SA
Hayward Oil Burner, Model 2000	118-35-SA
Heat King Oil Burner, Model 2	98-35-SA
Heat-O-Matic Oil Burner	178-35-SA
Heat-Pak Oil Burner, Models 35 and Compact	237-36-SA
Heatiator Oil Burner	1346-23-SA
Heil Combustion Fuel Oil Burner	1105-22-SA
Heil Combustion Fuel Oil Burner, Type B	295-29-SA
Henjes Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Herco Oil Burner, Models R-15, R-35, F, P-15, P-35, P-50, J-5, J-10, S-20 and S-40	21-36-SA
Hercules Oil Burner	510-29-SA
Hercules Oil Burner, Models H, HF and Type H, 1937 Model	309-33-SA
Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Herman Nelson Conversion Oil Burner	144-36-SA
Hillcrest Oil Burner, Models A, B and E	23-37-SA
Hipoint Oil Burner, Models A-2, B-2 and C-2	11-36-SA
Hofmann Automatic Fuel Oil Burner, Model 41	274-35-SA
Holby Type A Fuel Oil Burner	688-29-SA
Holland Gun Type Oil Burner	225-37-SA
Holland Type "F" Oil Burner	237-34-SA
Home-Utility Oil Burner, Models A and H	110-36-SA
Homer Domestic Oil Burner	1211-25-SA
Homestead Oil Burner, Model E	176-36-SA
Homestead Twin Control Oil Burner, Models J, N, H, JU and NU	176-36-SA
Hupp Oil Burner, Models H, U. P and PP	10-34-SA
Ideal Oil Burner, Models A, B and E	23-37-SA
Imperial Oil Burner	187-33-SA
Improved Kres-Kno Oil Burner and Model MD	591-29-SA
Inferno Oil Burner	82-33-SA
International Mechanical Draft Oil Burner	372-30-SA
International Oil Burner	1305-24-SA
Jacobsen Balanced Oil Burner, (Model V-1)	333-33-SA
Johnson Improved Rotary Fuel Oil Burner	938-22-SA
Joyce Oil Burner	852-26-SA
K. F. C. Oil Burner	846-25-SA
Kaytown Quiet Automatic Oil Burner, Models A, B and C	146-31-SA
Kelco Oil Burner	237-33-SA
Kelvinator Oil Burner	339-31-SA
Kelvinator Oil Burner, Model K	105-34-SA
KeWaNee Oil Burner, Model "C"	518-32-SA
Keystone Oil Burner, Models LP and WP	438-38-SA
Kingsco Oil Burner, Model E	130-37-SA
Kingsway Century Oil Burner, Models F and G	369-33-SA
Kingsway Silent Automatic Oil Burner, Model A-1	216-36-SA
Kleen Heet Oil Burner	62-24-SA
Kleen Heet Oil Burner, Type 902	99-35-SA
Kleen Heet Oil Burner, Type R	49-33-SA
Korth Oil Burner, Models G and S	136-34-SA
Kreager Oil Burner	367-30-SA
Kres-Kno Oil Burner	443-28-SA
Kres-Kno Pressing Machine Burner, Model MD, sizes KRF and KRF-1	354-34-SA
Laco Oil Burner, Model NL	670-30-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA
Lange Economical Oil Burner	355-33-SA
Latham Automatic Oil Burner	49-38-SA
Lawrence May Oil Burner	1034-27-SA
Leader Bake Oven Oil Burner	384-36-SA
Leader Oil Burner	425-31-SA
Leiman Brothers Fuel Oil Burner	314-30-SA
Lektro-Matic Oil Burner, Models 1-G, 2-G, 3-G, 4-G and 5-G	265-37-SA
Lennox Oil Burner, Series LE-1, LE-2 and LE-3	565-38-SA
Liberty Automatic Heater	129-28-SA
Liberty Pressure Oil Burner	75-34-SA
Lochinvar Oil Burning Unit	142-36-SA
Lonergan Automatic Oil Burner	208-33-SA
Luxor Heat Oil Burner	322-30-SA
Lynn Power Oil Burner, Models 1, 2 and 3	166-34-SA
"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800	341-32-SA
M. W. Emancipator Oil Burner	102-33-SA
M. W. Oil Burning Water Heater	737-29-SA
M. W. Water Heater, Model 20-D	365-34-SA

APPROVED APPLIANCES

Name of Burner	*Calendar No.*
Magna Fuel Oil Burner	197-33-SA
Majestic Oil Burner	693-30-SA
Major Oil Burner, Models H. U, P and PP	10-34-SA
Major Oil Burner, Models M and J	293-38-SA
Marr Oil Burner, Model H, Type R	765-26-SA
Master Fuel Oil Burner	350-32-SA
Master Gulf Oil Burner, Models A, B and E	23-37-SA
Master-Kraft Oil Burner	83-33-SA
May Oil Burner	68-24-SA
May Oil Burner, Type BB	46-34-SA
Mayfield Oil Burner	568-31-SA
Mayflower Oil Burner	124-29-SA
Mazda Oil Burner, Models A, B and E	23-37-SA
McIlvane Oil Burner	541-29-SA
Melco Automatic Oil Burner, Type "A"	1032-25-SA
Merco Oil Burner	637-29-SA
Mercurol Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Metered Heat Oil Burner, Model G	136-34-SA
Metro-Pressure Oil Burner, Models A, B and C	146-31-SA
Micron Oil Burner	345-34-SA
Midget Oil Burner	155-34-SA
Midget Pressing Machine Oil Burner	122-35-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114	327-31-SA
Minneapolis Automatic Oil Burner	34-34-SA
Mohawk Oil Burner, Models A and H	110-36-SA
Monitor Oil Burner	202-34-SA
Morgan Oil Burner, Models A and H	110-36-SA
Morrissey Oil Burner	673-27-SA
Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1	359-33-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Morse Fuel Oil Burner	820-23-SA
Moto-Heat Oil Burner	195-32-SA
Motorless Oilheat Burner, Models 7, 9, 11, 13 and 15	628-23-SA
Mousette Oil Burner	887-25-SA
Nabco Oil Burner	287-37-SA
Nairoil Oil Burner, Type R, Model E	13-35-SA
National Airoil High Pressure Burner	185-29-SA
National Airoil Low Pressure Burner	186-29-SA
National Airoil Type D-R Rotary Oil Burner	548-31-SA
National Devices Oil Burner	184-36-SA
National Oil Burner, Model E-J	360-34-SA
National Rotary Oil Burner	836-25-SA
Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA
New Perfection Oil Burner, Type "C"	518-29-SA
New Process Oil Burner	1071-27-SA
Nichols-McCann-Harrison Burners	255-31-SA
Noiseless Nokol Model G Oil Burner	801-28-SA
Noiseless Nokol Rotary Oil Burner, Model R	584-28-SA
Nokol Automatic Burner	1078-24-SA
Norge Oil Burner, Models N5, N8, N68 and N88	345-31-SA
Norge Oil Burner Models N8, N18 and N28	226-34-SA
Norge Oil Burner, Models N8-8C and N13-8C	543-37-SA
Norge Water Heater, Models 23 and 45	365-34-SA
Nu-Way Oil Burner	773-26-SA
Oil Aire-Flo Burner Unit, Series H	564-38-SA
Oilbuilt Burner	85-33-SA
Oil King Oil Burner, Models F, S, J and J-1	166-33-SA
Oliver Oil Gas Burner, No. 30-A	1359-24-SA
Orco Oil Burner, Model A-1	216-36-SA
Oronoque Oil Burner	394-30-SA
Orr Fuel Oil Burner	113-26-SA
PDM Low Pressure Oil Burner	205-38-SA
Pacific Oil Burner	343-35-SA
Packard Fuel Oil Burner	77-34-SA
Paragon Oil Burner, Model A-25	248-37-SA
Paragon Oil Burner, Models R-15 and R-35	21-36-SA
Paramount Oil Burner	1193-25-SA
Paramount Oil Burner, Model A	617-30-SA
Pascoe Oil Burner	1029-26-SA
Penn Automatic Oil Burner, Gun Type	250-37-SA
Penn Rotary Oil Burner	236-35-SA
Peoples Silent Oil Burner, Models O and G	313-35-SA
Perfect Automatic Oil Burner, Models DL-7, DL-8, DL-10, 0-5, 0-7, 0-8 and 0-10	264-35-SA
Perfect Automatic Oil Burner (Gun Type), Model A-1	112-36-SA
Perfect-Pantex Oil Burner	271-33-SA
Perfex Airnoil Burner	175-37-SA
Petro Domestic Burner	161-26-SA
Petro Model T Oil Burner	451-31-SA
Petro Model W Oil Burner	452-31-SA
Petro Burner, Model O	78-28-SA
Petro Burner, Model P-2	735-30-SA
Petro Oil Burner, Model W-2	244-33-SA
Petro Oil Burner, Models W-1 and W-1½	245-33-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH	614-32-SA
Philco Oil Burner, Models AM and B	27-37-SA
Pioneer Automatic Oil Burner	1259-27-SA
Precision Oil Burner, Model W	137-37-SA
Preferred Oil Burner (Manual Operation), Model D. O.	253-35-SA
Pressure Oil Burners, Models A B and C	146-31-SA
Presto Automatic Oil Burner	294-34-SA
Prize Automatic Oil Burner, Models A, B and C	600-31-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA
Progressive Press Machine Oil Burner, Models PMB and PMBS	224-34-SA
Public Service Oil Burner, Models R-15 and R-35	21-36-SA
Pyrolene Oil Burner	184-36-SA
Quiet Ballard Automatic Oil Burner	660-30-SA
Quiet Heet Oil Burner	49-36-SA
Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Radiant Oil Burner, Model 2½ M	559-38-SA
Rasol Oil Burner	108-34-SA
Ray-Dio Sunshine Oil Burner, Model C, sizes 12, 14 and 16	368-34-SA
Ray Gun Type Oil Burner, Model XP	50-38-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Rayfield Oil Burner	504-26-SA
Real Host Oil Burner	38-34-SA
Re-Ly-On Oil Burner	745-26-SA
Remington Domestic Oil Burner, Type B	532-31-SA
Remington Oil Burner	891-26-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Reynolds Automatic Oil Burner, Model R-G	440-37-SA
Reynolds Oil Burner, Model GC	266-34-SA
Richfield Oil Burner, Pressure Gun Type	73-36-SA
Richmond Gravity Fuel Oil Burner	1193-22-SA
Rickard Oil Burner	1011-27-SA
Ritz Oil Burner, Model A	378-36-SA
Rohr Schanck Fuel Oil Burner	583-21-SA
Rotoflame Gem Oil Burner	187-33-SA
Round Oak Oil Burner	343-35-SA
Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA
S. & K. Mechanical Fuel Oil Burner	1115-22-SA
S & K Wide Range Fuel Oil Burner	10-33-SA
S-K Oil Burner, Models F and G	369-33-SA
S. T. Johnson Co. B.H. Oil Burner	517-37-SA

APPROVED APPLIANCES

Name of Burner	*Calendar No.*
S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
S. T. Johnson Oil Heat Servant	157-34-SA
Sachem G.B.O. Oil Burner	282-33-SA
Schulse Home Oil Burner	1487-23-SA
Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior	436-32-SA
Sealdheet Oil Burner, Model SH	160-36-SA
Security Oil Burner	56-28-SA
Shepard Oil Burner	563-30-SA
Shill Oil Burner	315-30-SA
Shur-Heat Oil Burner, Models R-15 and R-35	21-36-SA
Silent-Auburn Fuel Oil Burner, Models A, B, C, O, A1 and AA	461-31-SA
Silent Automatic Oil Burner	458-26-SA
Silent Automatic Burner, Model "B"	709-30-SA
Silent Automatic Burner, Model "E"	710-30-SA
Silent Flame Oil Burner, Model M	172-37-SA
Silent Flash Oil Burner, Model C1	38-33-SA
Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106	328-37-SA
Silent Glow Oil Burner, Model G	600-30-SA
Silent Glow Oil Burner, Models 600, 800, 1000, 1200, 1800, 2800, 3800, 6800 and 8800.	345-31-SA
Silent Glow Oil Burner, Model 1300	12-37-SA
Silent Glow Oil Burner for Pressing Machines, Models 600 and 800	327-37-SA
Silent Heet Oil Burner, Models A, B and E	23-37-SA
Silent Heet Oil Burner, Model C	96-36-SA
Silent Paramount Oil Burner, Models F and G	369-33-SA
Simplex Domestic Oil Burner, Type P.A.	446-30-SA
Simplex Domestic Type "S.P." Oil Burner	145-31-SA
Simplex Horizontal Rotary Oil Burner, Types H, H.E.G. and H.E.G.-H	367-36-SA
Simplex Turbine Fuel Oil Burner, Models C.O.G. and M.O.G.	1203-22-SA
Socony Arrow Oil Burner	1191-24-SA
Standard Automatic Oil Burner, Type 14-G.	536-31-SA
Standard Automatic Oil Burner, Type 11-G.	537-31-SA
Standardyne Oil Burner	34-34-SA
Stephens Oil Burner, Models Nos. 1 and 2	146-33-SA
Sterling Oil Burner	322-30-SA
Stromberg Oil Burner, Models A, B and E	23-37-SA
Stuhler Oil Burner	618-27-SA
Stuhler Oil Burner, Model R	84-36-SA
Summerheet Oil Burner	581-26-SA
Sundstrand Automatic Oil Burner	755-26-SA
Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U	658-30-SA
Sunflower Model S-1 Oil Burner	657-29-SA
Sunflower Oil Burner, Model S-2	587-30-SA
Sun-Glo Oil Burner, Models A, B and E	23-37-SA
Sun Heat Oil Burner	603-29-SA
Sun-Ray Fuel Oil Burner	106-33-SA
Sunway Oil Burner	624-30-SA
Super Automatic Oil Heater Model SSH	715-29-SA
Super Automatic Zephyr Oil Burner, Model A	463-31-SA
Superb Oil Burner, Models A and B	86-36-SA
Superfex Oil Burner, for Warm Air Furnaces, Models 100, 100-E, 101, 101-E, 200, 200-E, 300 and 300-E	400-32-SA
Superheet Oil Burner, Model D	254-33-SA
Superior Oil Burner, Models A and H	110-36-SA
Supreme Oil Burner, Model G	136-34-SA
Swirling Heat Oil Burner, Model A-M	242-36-SA
Sword Automatic Oil Burner	951-25-SA
Syncro-Flame Oil Burner, Models R and RH	139-35-SA
Tabor Automatic Oil Heater, Type "D"	778-28-SA
Thermoil Oil Burner, Model G1	324-36-SA
Thompson-Gould Oil Burner	178-35-SA
Thoroburn Oil Burner, Model A-1-16-G	269-33-SA
Timken Oil Burner, Model 20	287-28-SA
Timken Rotary Oil Burner	297-29-SA
Timken Silent Automatic Heater (Water Heater Unit) Models 40-A and 50-B	121-35-SA
Timken Silent Automatic Oil Burner, Model G	266-34-SA
Timken Wall Flame Oil Burner, Model F	497-38-SA
Todd Mechanical Oil Burner, Type Hex-Press	177-35-SA
Todd Rotary Burner, Models A, B and C	454-25-SA
Todd Spiro Oil Burner	470-31-SA
Todd Spiro Burner (pump type)	94-32-SA
Toridheet Oil Burner	63-28-SA
Toridheet Oil Burner, Model G	17-35-SA
Tri-Aire Oil Burner, Model C-3	188-36-SA
Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Tropic Heat Oil Burner, Model G	136-34-SA
Twin City-on-the-Door Oil Burner	129-27-SA
U and S Oil Burner for Pressing Machine, Models A, B and C	331-36-SA
Uni-Lec-Tric Oil Burner	498-29-SA
United States Gun-type Oil Burner	222-35-SA
United States Oil Burner	620-28-SA
Universal Fuel Oil Burner	6-24-SA
Universal Oil Burner	584-31-SA
Vapomatic Oil Burner	275-34-SA
Vaporoil Burner	44-32-SA
Vesta Oil Burner	451-26-SA
Victor Oil Burner	612-30-SA
Victory Oil Burner	320-30-SA
Viking Oil Burner	396-32-SA
Vitro-Heet Oil Burner, Model MD	591-29-SA
Vitro-Heet Pressing Machine Burner, Model MD, sizes KRF and KRF-1	354-34-SA
Volcano Automatic Oil Burner	556-29-SA
Volcano Automatic Oil Burner, Models EW, EW-1, EW-2 and E	341-33-SA
Volcano Automatic Oil Burner, Models D, H and K	234-37-SA
Vortex Oil Burner, Type V, Model No. 7	180-38-SA
Warner Oil Burner, Model A	16-34-SA
Wayne Oil Burner	1155-25-SA
Wayne Domestic Oil Burner, Model K	115-32-SA
Wayne S-2 Domestic Oil Burner	115-32-SA
Webster Oil Burner, Model M	172-37-SA
Weco Multi Oil Burner, Low Pressure Type	24-36-SA
Wheco Oil Burner	108-34-SA
White Flame Oil Burner	357-35-SA
White Heat Oil Burner	232-36-SA
Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB, and R	918-22-SA
Windsor Oil Burner, Models A-3U, B-5U and C-6U	658-30-SA
Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
Wizard Automatic Oil Burner	181-33-SA
York Automatic Oil Burner	44-29-SA
York Bake Oven Oil Burner	384-36-SA
York Horizontal Rotary Oil Burner (Type AP)	56-36-SA
York-Lalor Oil Burner	261-37-SA
Yorktown Oil Burner	166-33-SA
Yorktown Oil Burner, Model A	3-35-SA
Zenith Oil Burner	279-34-SA

APPROVED APPLIANCES

Burners for Industrial Use

Name of Burner	*Calendar No.*
Ace Rotary Oil Burner	47-35-SA
Air-Blast Oil Burner	579-32-SA
Airnoil Burner	175-37-SA
Airtemp Oil Burner, Models D, F and G	88-34-SA
Alpine Oil Burner, Models A and H	110-36-SA
Anthony Nebulyte Oil Burner	1026-22-SA
Arcoflame Oil Burner	426-38-SA
Aristocrat Oil Burner	222-35-SA
Associated Oil Burner	178-35-SA
Auto Heat Oil Burner	284-33-SA
Automatic Airless Oil Burner, Model No. 1	53-34-SA
Babcock & Wilcox Mechanical Oil Burner	45-21-SA
Ballard Automatic Oil Burner	1363-23-SA
Ballard Oil Burner, Models B-A 1, 2, 3 and 4	447-32-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA
Ballard Jr. Oil Burner	1176-27-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner	1414-22-SA
Bauer Oil Burner	129-37-SA
Berggren Oil Burner	764-26-SA
Best Calorex Burner	1464-21-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA
Bettendorf Automatic Oil Burner, Models D, F and G	88-34-SA
Bock Oil Burner, Models A, B, C and D	123-31-SA
Bock Oil Burner, Models WH-3, WH-5, WH-6 and WH-8	102-34-SA
Borden Oil Burner, Model B	29-37-SA
Brighton Oil Burner	372-33-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA
Burnwell Mechanical Burner	957-22-SA
Caloroil Burner, Type AA	1361-24-SA
Caloroil Horizontal Rotary Oil Burner, Models 1, 2, 3, 4, 5 and 6	327-31-SA
Carter Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Central Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Century pressing Machine Oil Burner, Models U1 and U2	25-37-SA
Chalmers-Ace (Rotary) Oil Burner	47-35-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA
Clark Horizontal Rotary Oil Burner	618-37-SA
Coen Mechanical Oil Burner	942-21-SA
Concord Burner	108-35-SA
Cornell No. 1 Type A Oil Burner	397-23-SA
Craftsman Oil Burner	222-35-SA
Crater Automatic Oil Burner	34-34-SA
Dahl Mechanical Fuel Oil Burner	13-21-SA
D'Elia Oil Burner	155-31-SA
Demand Oil Burner	108-34-SA
DeWalt Oil Burner	541-31-SA
Doe Oil Burner	317-31-SA
Draft-Rite Oil Burner	178-35-SA
Empire Oil Burner	222-35-SA
Enco Type 400 Steam Atomizing Oil Burner	1414-23-SA
Enco Mechanical Oil Burner	509-30-SA
Enterprise Rotary Fuel Oil Burner	1149-27-SA
Enterprise Steam Atomizing Burner	15-33-SA
Faber Industrial Fuel Oil Burner, Types B and M	372-38-SA
Fess Turbine Burner, Airoil Fan and Pump Set	26-22-SA
Fine-Glo Oil Burner	178-35-SA
Fitzgibbons Oil Burner, Model M	172-37-SA
Forsdraft Oil Burner	41-34-SA
Frankfort Type P Oil Burner	1046-23-SA
Gem Fuel Oil Burner	111-26-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA
General Electric Oil Burner, Type DA-2	228-33-SA
Ghapco Steam Generator	348-31-SA
Gilbarco-Ballard Heavy Oil Burner, Models BM, DM, FM, HM, BS, DS, FS, HS, BA, DA, FA, HA, BPM, DPM, FPM, HPM, BPS, DPS, FPS, HPS, BPA, DPA, FPA, HPA, BPW, DPW, FPW, HPW, BPH, DPH, FPH and HPH	1493-22-SA
Gilbarco Industrial Burner	350-32-SA
Gilbert & Barker Fuel Oil Burner	1636-21-SA
Gold Star Oil Burner, Models F and S	166-33-SA
Goodspeed Oil Burner, Nozzle Type 2	346-33-SA
Gould Automatic Oil Burner	178-35-SA
Grant Oil Burner, Model "C"	232-32-SA
GRD Fuel Oil Atomizer	128-27-SA
Greenawalt Down Draft Combustion Oil Burning Furnace	85-35-SA
Hammond Oil Burner	72-31-SA
Harris Fuel Oil Burner	690-30-SA
Hart Oil Burner, Model "H"	221-33-SA
Hauck Venturi Low Pressure Oil Burner	88-27-SA
Hayward Oil Burner (Vertical Rotary), Models AG, BG, CG, DG, AP, BP, CP and DP	696-30-SA
Hayward Oil Burner, Model 2000	118-35-SA
Heat-O-Matic Oil Burner	178-35-SA
Herco Oil Burner, Models R15, R35 F, P15, P35, P50, J5, J10, S20 and S40	21-36-SA
Hobeco Oil Burner	1278-21-SA
Holby Oil Burner	328-27-SA
Holby Type B Fuel Oil Burner	689-29-SA
Holland Gun Type Oil Burner	225-37-SA
Home Utility Oil Burner, Models A and H	110-36-SA
Hupp Oil Burner, Models H, U, P and PP	10-34-SA
Induslo Fuel Oil Burner 1-27	5-24-SA
Kelvinator Oil Burner, Model K	105-31-SA
Keystone Oil Burner, Models LP and WP	438-38-SA
Kingsway Century Oil Burner, Models F and G	369-33-SA
Kingsway Silent Automatic Oil Burner, Model A-1	216-36-SA
Korth Oil Burner, Models G and S	136-34-SA
Kreager Oil Burner	367-30-SA
Kres-Kno Pressing Machine Burner, Model MD, sizes KRF and KRF-1	354-34-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA
Leader Bake Oven Oil Burner	384-36-SA
Leiman Brothers Fuel Oil Burner	314-30-SA
Lennox Oil Burner, Series LE-1, LE-2 and LE-3	565-38-SA
Liberty Automatic Heater	129-28-SA
Liberty Pressure Oil Burner	75-34-SA
Leintz Oil Burner	155-20-SA
Lonergan Automatic Oil Burner	208-33-SA
Lynn Power Oil Burner, Models 1, 2 and 3	166-34-SA
Magna Fuel Oil Burner	197-[illegible]-SA
Mahrvel Low Pressure Burner	859-26-SA
Major Oil Burner, Models H, U, P and PP	10-34-SA
Master Fuel Oil Burner	350-32-SA
Maxon Oil Burner (New Style)	1026-22-SA
May Oil Burner	68-24-SA
Mercurol Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Metered Heat Oil Burner, Model G	136-34-SA
Micron Oil Burner	345-34-SA
Midget Oil Burner	155-34-SA
Midget Pressing Machine Oil Burner	122-35-SA

APPROVED APPLIANCES

Name of Burner	*Calendar No.*
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114	327-31-SA
Minneapolis Automatic Oil Burner	34-34-SA
Mohawk Oil Burner, Models A and H	110-36-SA
Monarch Industrial Oil Burner	133-35-SA
Morgan Oil Burner, Models A and H	110-36-SA
Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3 and MP-1	359-33-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Morse Fuel Oil Burner	820-23-SA
Nabco Oil Burner	287-37-SA
National Airoil High Pressure Burner	185-29-SA
National Airoil Low Pressure Burner	186-29-SA
National Airoil Type D-R Rotary Oil Burner	548-31-SA
National Devices Oil Burner	184-36-SA
Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA
Nichols-McCann-Harrison Burners	255-31-SA
Norge Oil Burner, Models N8-8C and N13-8C	543-37-SA
North American Low Pressure Oil Burner	792-26-SA
Oil Aire-Flo Burner Unit, Series H	564-38-SA
Oilbilt Burner	85-33-SA
Orco Oil Burner, Model A-1	216-36-SA
Oronoque Oil Burner	394-30-SA
PDM Low Pressure Oil Burner	205-38-SA
Packard Fuel Oil Burner	77-34-SA
Paragon Oil Burner, Models R-15 and R-35	21-36-SA
Paramount Oil Burner, Model A	617-30-SA
Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
Penn Automatic Oil Burner, Gun Type	250-37-SA
Perfect-Pantex Oil Burner	271-33-SA
Perfex Airnoil Burner	175-37-SA
Petro Mechanical Burner and Air Register	735-24-SA
Petro Model W Oil Burner	452-31-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA
Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH	614-32-SA
Preferred Oil Burner (Manual Operation), Model D. O.	253-35-SA
Presto Automatic Oil Burner	294-34-SA
Progressive Press Machine Oil Burner, Models PMB and PMBS	224-34-SA
Public Service Oil Burner, Models R-15 and R-35	21-36-SA
Pyrolene Oil Burner	184-36-SA
Quiet Ballard Automatic Oil Burner	660-30-SA
Quiet Heet Oil Burner	49-36-SA
Quigley No. 10 Low Pressure Oil Burner	436-31-SA
Quinn Oil Burning Equipment	367-21-SA
Rasol Oil Burner	108-34-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Reynolds Oil Burner, Model GC	266-34-SA
Rockwell Fuel Oil Burner	341-21-SA
Rohr Schanck Fuel Oil Burner	583-21-SA
S. & K. Mechanical Fuel Oil Burner	1115-22-SA
S. & K. Wide Range Fuel Oil Burner	10-33-SA
S. K. Oil Burner, Models F and G	369-33-SA
S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106	328-37-SA
Silent Glow Oil Burner for Pressing Machines, Models 600 and 800	327-37-SA
Silent Flame Oil Burner, Model M	172-37-SA
Silent Paramount Oil Burner, Models F and G	369-33-SA
Simplex Horizontal Rotary Oil Burner, Types H, H.E.G. and H.E.G.-H	367-36-SA
Simplex Turbine Fuel Oil Burner, Models C.O.G. and M.O.G.	1203-22-SA
Standardyne Oil Burner	34-34-SA
Steam Oil Burner	183-22-SA
Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
Stewart Gasifier Oil Burner	146-35-SA
Sun Heat Oil Burner	603-29-SA
Sun-Ray Fuel Oil Burner	106-33-SA
Sunway Oil Burner	624-30-SA
Superior Oil Burner, Models A and H	110-36-SA
Supreme Oil Burner, Model G	136-34-SA
Surface Combustion Low Pressure Burner	92-23-SA
Syncro-Flame Oil Burner, Model R	139-35-SA
Tate-Jones Fuel Oil Burner, "L" Type	1254-24-SA
Tate-Jones No. 6 Oil Burner	1444-23-SA
Thompson-Gould Oil Burner	178-35-SA
Timken Rotary Oil Burner	297-29-SA
Timken Silent Automatic Oil Burner, Model G	266-34-SA
Todd Mechanical Fuel Oil Burner	1525-22-SA
Todd Mechanical Oil Burner, Type Hex-Press	177-35-SA
Todd Rotary Burner, Models A, B and C	454-25-SA
Todd Spiro Oil Burner	470-31-SA
Todd Spiro Burner (pump type)	94-32-SA
Todd Steam Atomizing Fuel Oil Burner	123-23-SA
Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Tropic Heat Oil Burner, Model G	136-34-SA
United States Gun-type Oil Burner	222-35-SA
United States Oil Burner	620-28-SA
Vapofier Oil Burner	184-34-SA
Vapomatic Oil Burner	275-34-SA
Vaporoil Burner	44-32-SA
Vitro-Heet Pressing Machine Burner, Model MD, Sizes KRF and KRF-1	354-34-SA
Vortex Oil Burner, Type V, Model No. 7	180-38-SA
Warner Oil Burner, Model A	16-34-SA
Webster Oil Burner, Model M	172-37-SA
Wheco Oil Burner	108-34-SA
White Heat Oil Burner	232-36-SA
Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Wizard Automatic Oil Burner	181-33-SA
York Bake Oven Oil Burner	384-36-SA
York-Lalor Oil Burner	261-37-SA
Yorktown Oil Burner	166-33-SA
Yorktown Oil Burner, Model A	3-35-SA

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

APPROVED APPLIANCES

APPROVED RANGE OIL BURNERS AND SPACE HEATERS

Name of Burner	*Calendar No.*
A.B.C. Range Burner Assemblies, Models AS-4, AS-6, AD-6, AS-9 and A-3798 Water Heater Assembly	250-34-SA
Aetna Range Oil Burner	29-35-SA
Aetna Water Heater, Models 6, 7, 9 and 47 W.H.T. and 15 and 16 W.H.T.	148-37-SA
Air-O-Flame Space Heater, Models 108 and 810 (pot type)	190-35-SA
Air-O-Flame Space Heater, Models 71, 91, 1572 and 1582 (sleeve type)	206-35-SA
Air-O-Flame Range Burner	236-34-SA
American Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92	224-36-SA
Ameroil Oil Burner for Stoves and Ranges	592-32-SA
Biltwell Range Oil Burner, Models B-1 and B-2	196-34-SA
Bland Range Oil Burner	234-34-SA
Blue Glow Range Oil Burners, Models Supreme and DeLuxe	308-34-SA
Brigham Range Oil Burner	217-35-SA
Caloroil Range Oil Burner	172-34-SA
Champion Range Oil Burner, Models A and B	291-34-SA
Cole Hot Blast Oil Burning Stove, Model No. 912	207-35-SA
Coleman Oil Burning Circulating and Space Heater, Model 825	308-36-SA
Diamond Range Oil Burner	325-34-SA
Easyway Range Oil Burner, Models D27, DC27, G27 and NG27	157-35-SA
Easyway Space Heater, Models CRL19, CRN17, CSP27 and CSP19	158-35-SA
Easyway Water Heater, Models H.W.1 and H.W.2	159-35-SA
Ellington Range Oil Burner, Square Circulating Heater and Round Circulating Heater	351-34-SA
Ellington Range Oil Water Heater, Models M and J	40-35-SA
Evur-Ready Range Oil Burner, Models Leader, Standard and DeLuxe	311-34-SA
Fairfax Range Burner	302-34-SA
Florence Oil Heater, Models KC-9, GC-6, GC-7, GS-27, CH-9, CH-27, CH-28, CH-29, RH-7 and RH-9	62-33-SA
Florence Oil Space Heater, Models PH-28, PH-8, PC-8, PC-28, PR-10, PR-81 and PR-82	172-35-SA
Florence Range Burners	219-34-SA
Fox Range Oil Burner	200-34-SA
Gilbert and Barker Oil Space Heaters, Models GB-1315, GB-1015, GB-1011, GB-815 and GB-811	56-37-SA
Hi-Heat Range Burner, Models A and De-Lux	323-34-SA
Hupp Range Oil Burner, Models S.D. and C.D.	309-34-SA
Ker-Oil Automatic Water Heater	263-35-SA
Kerogas Bowl Type Space Heater, Models 300-300-A, 303-303-A, 310-310-A, 315-315-A and 320-320A	266-35-A
Kerogas Hot Blast Oil Heater, Models 210, 135, 110, 207 and 115	339-34-SA
Kolrid Range Burner	48-34-SA
Kres-Kno Range Oil Burner, Model MD. Sizes KR, KRF, KRF-1 and 1R	355-34-SA
Lochinvar Automatic Oil Burning Water Heater	143-36-SA
Lonergan Automatic Hot Water Heater	179-35-SA
Lonergan Oil Burning Heater, Models F-2, F-3, C-4, R-1 and R-2	263-34-SA
Loyalty Range Burner	302-34-SA
Lynn-Range Burner, Models Junior, Lypre and DeLuxe	238-33-SA
M.W. Bake Oven Range Burner, Model 448 and M.W. Core Oven Range Burner, Model 450	367-34-SA
M.W. Circulating and Radiant Heaters, Models 501, 601, 701 and 801	366-34-SA
M.W. Oil Burning Range, Commercial Models 152 and 251 and Domestic Models 101-G and 126-B	364-34-SA
Majestic Range Oil Burner, Models 27B and 27T	180-35-SA
Majestic Space Heater, Models 247T and 248	181-35-SA
Majestic Water Heater, Models 255A and 255B	182-35-SA
Matchless Self-Lighting Range Oil Burner	410-37-SA
Moderne Range Oil Burner, Models Regular, Junior and Firenew	357-34-SA
National Range Oil Burner	361-34-SA
Nesco Circulating Heater, Models 041, 41, 042 and 42	264-36-SA
No-Wyck-Koaless Range and Stove Oil Burner	251-34-SA
Norge Space Heater, Models 75, 50, 37 and 37-R	366-34-SA
Octo Range Oil Burner	410-37-SA
Odin Beauty (Space Heater), Models 61, 62, 91 and 92	233-35-SA
Odin Beauty Heater (Pot Types), Models 1P61, 1P62, 1P91 and 1P92	224-36-SA
Putnam Range Oil Burner	54-35-SA
Quaker Burnoil Stove	11-31-SA
Quick Meal Range Burner	304-34-SA
Quick Meal Space Heater, Models 5672-0, 5671-13, 5671-33 and 5671-35	306-34-SA
Quick Meal Water Heater, No. 5681-0	305-34-SA
Ray-Dio Sunshine Range Oil Burner, Models A, Daisy and Water Heater	32-31-SA
Sachem Oil Space Heater, Models GB-811, GB-815, GB-1011, GB-1015 and GB-1315	56-37-SA
Samco Oil Space Heater, Models 1108 and 1110	73-37-SA
Sears Roebuck Oil Burning Water Heater, Hercules Model No. 2544	303-36-SA
Serv-Well Range Oil Burner, Models 27B and 27T	165-35-SA
Serv-Well Space Heater, Models 247T and 248	166-35-SA
Serv-Well Water Heater, Models 255A and 255B	167-35-SA
Silent Glow Range Oil Burner	172-34-SA
Silent Glow Si-Glo-Lo Oil Space Heater, Models 15, 35, 60 and 80	24-37-SA
Silent Heet Oil Burner for Ranges and Stoves	592-32-SA
Smith-Whaley Range Oil Burner, Models SW-1 and SW-2	196-34-SA
Speedy Hot Oil Space Heater, Models GB-811, GB-815, GB-1011, GB-1015 and GB-1315	56-37-SA
Superfex Oil Burning Heater, Models 1031, 1032, 1035, 1036, 1107, 1108, 1109, 1110, 1117, 1118, 1119 and 1120 and Superfex Heat Projector, Models 1051, 1052, 1053 and 1054	491-31-SA
Toridheet Range Water Heater, Models 222, 232 and 242	65-35-SA
Tower Range Oil Burner	126-33-SA
Vap-R-Oil Oil Burner for Ranges and Stoves	592-32-SA
Victor Circulating Fuel Oil Heater, Models VCH-27, VCH-19 and VCH-17	243-36-SA
Victor Range Oil Burner, Models VJ-275, VJ-195 and VO-275	329-34-SA
Viking Pot Type Space Heater, Models 120, 165 and 170	310-35-SA
Viking Range Oil Burner and Range Oil Burning Heater, Models 20, 30, 60, 65, 70 and 80	333-34-SA
Viking Range Water Heater, Models 222, 232 and 242	65-35-SA
Vitro-Heet Range Oil Burner, Model MD, sizes KR, KRF, KRF-1 and 1-R	355-34-SA

RULES

Fire Drill Rules, Adopted By the Board of Standards and Appeals, October 5, 1923.

(593-23-SR)

DEFINITION OF "FIRE DRILL."

The method and practice of the systematic and orderly vacating of a building by its occupants in case of emergency, panic or fire in the least possible time—by the nearest safe means of exit—and the use of fire appliances which shall be provided for the extinguishing or retarding of fire and the safeguarding of human life.

Rule 1

In all buildings as defined in Article 1, Section 10 of the Labor Law in which fire drills are required pursuant to Section 279 and in any other building in which the Fire Commissioner may be directed pursuant to the power conferred in section 775-B of the Greater New York Charter, it shall be the duty of the owners, lessees or tenants to conduct fire drills monthly and at such other times as the Fire Commissioner may direct.

For the purpose of conducting such fire drills the owner or tenant shall appoint from among their employees such responsible and dependable persons, male or female, who shall efficiently perform the duties of the various positions of the fire drill organization, as specified in the accompanying chart.

It shall be the duty of the owner or tenant to enter in the blank spaces provided for that purpose in said chart the names of persons so selected and post said chart and copies of the rules in a conspicuous place.

FIRE DRILL ORGANIZATION.

Premises .....

Name of concern.....

Building No.....Story.....

FOREMAN OR PERSON IN CHARGE

Regular	Substitute
.....	.....

WATCHMAN

.....	.....
.....	.....

MALE SEARCHER

.....	.....

FEMALE SEARCHER

.....	.....

STREET ALARM BOX RUNNER

.....	.....

FIRE BRIGADE

.....	.....
.....	.....
.....	.....

EXIT GUARDS

.....	Exit.....	.....
.....	"	.....
.....	"	.....
.....	"	.....
.....	"	.....
.....	"	.....

SQUAD MONITORS

.....	Squad No.	1	.....
.....	"	" 2	.....
.....	"	" 3	.....
.....	"	" 4	.....
.....	"	" 5	.....
.....	"	" 6	.....

Rule 2. Duties of Foreman.

The Foreman or Person in Charge shall direct, enforce and have full charge of the "Fire Drill" in every factory on each floor. Each day before work is begun he shall see that extinguishers, fire hose, fire buckets, etc., are in readiness for use, exit doors are unlocked, aisles are free from obstruction, that stairways, halls, etc., are properly lighted, and shall remedy any dangerous condition found to exist. Immediately after work is commenced he shall check up the Fire Drill Organization list and note if the regularly assigned persons are present; if any are found to be absent, he shall assign other employees (if practicable) to perform their duties.

He shall immediately notify new employees of the existence of the Fire Drill Organization an give them the necessary instructions as to the duties they are to perform, etc.

He shall be familiar with the operation and location of the interior alarm signal box on his floor.

He shall listen for the test signal each morning at the appointed hour and in the event of the test signal not being heard he shall communicate with the superintendent or other person in charge of the building and advise him of the fact. The (Floor Captains) Foreman's orders are final as to the carrying out of the fire drill on his particular floor.

Rule 3. Duties of Watchmen.

The WATCHMEN shall see that all doors and windows are closed so as to prevent the spread of fire. The WATCHMEN shall be the only persons permitted to remain on the floor during the progress of a fire drill and do so at their own risk. For ordinary purposes only one watchman and a substitute shall be designated. In special cases, however, extra watchmen may be assigned by consent in writing from Fire Commissioner.

Rule 4. Duties of Searchers.

The MALE AND FEMALE SEARCHERS shall search all toilets, dressing rooms and emergency rooms used and frequented by their sex and all other portions of the floor and order all persons, except those authorized to remain, to leave the premises. They are to take care of and assist all persons who may faint or be disabled.

SEARCHERS shall leave the floor immediately after the last squad leaves.

Rule 5. Duties of Street Alarm Box Runner.

The STREET ALARM BOX RUNNER shall be familiar with the location of the nearest city fire alarm box and know how it is operated.

In ordinary practice fire drills the STREET-ALARM-BOX-RUNNER shall report to the Foreman for orders, and if his services are not required he shall promptly file out of the premises with the other occupants.

Only when a fire actually occurs on his floor, or when ordered to do so by the Foreman, shall the STREET-ALARM-BOX-RUNNER proceed to the street alarm box and send in the fire alarm.

RULES

Rule 6. Duties of Fire Brigade.

The fire brigade shall have full charge of the operation of all auxiliary fire fighting apparatus and shall endeavor to extinguish, or at least hold in check until the arrival of the fire department, any fire that may occur. When it is necessary for the fire brigate to respond to different floors in the building they shall not use the stairways or fire escapes while the occupants are escaping from the premises.

Rule 7. Duties of Exit Guards.

The EXIT GUARDS shall station themselves at all exit doors leading to fire escapes, stairways and other means of escape immediately upon the sounding of the alarm. There shall be two guards for each exit, if practicable; one to stand in the hallway holding back the door and the other directly inside on the floor. They are to keep the exit doors open and direct the movements of the persons using these exits and prevent congestion.

EXIT GUARDS shall remain at their stations until all of the occupants of the building have passed their station. Then close their doors and pass out of the building. Upon signal for the occupants to return, EXIT GUARDS shall take their designated stations and remain there until all persons have returned to their respective floors.

Rule 8. Duties of Squad Monitors.

The SQUAD MONITORS, as soon as the alarm is sounded, shall see that the employees under their charge quickly form into line, two abreast, and numbering not more than thirty to each squad. They shall see that all aisles and passageways are cleared of obstructions.

Note: Chairs, stools, baskets, etc., should be pushed under or placed on top of work benches.

MONITORS shall proceed at the head of their respective squads to the exit assigned, and then march up or down the stairs or to other exits as directed by the EXIT GUARDS.

On reaching the sidewalk MONITORS shall keep their squads in order and lead them a reasonable distance from the building, so as not to cause congestion and interference with fire apparatus. When the proper signal is given they shall return to their respective floors at head of their squads.

MONITORS will at all times see that those under their charge conduct themselves in a respectable and orderly manner.

Rule 9. Holding of Drills.

FIRE DRILLS shall be held at least once each month at varied hours of the day, and all of the occupants shall participate therein simultaneously. Such drills shall conduct all occupants to a place of safety.

Where dual operation interior fire alarm systems are installed as permitted under Rule 11 of the interior fire alarm rules of the Board of Standards and Appeals, the fire drill conducted each month shall include all of the persons on the premises engaged at work for a factory, and drills shall be conducted at least twice each year in which all of the persons on the premises shall participate simultaneously.

Rule 10. Duties of Owner.

It shall be the duty of the OWNER, LESSEE OR TENANT OF THE BUILDING or his authorized agent or their representatives to personally observe that the "Fire Drill" is held simultaneously on every floor of the building and the participation therein of every occupant of such building. Any FIRE DRILL in which all of the occupants do not particpate shall not be considered as complying with the LAW, except as otherwise provided in these rules.

The person or persons representing the OWNER, LESSEE OR TENANT who supervises the FIRE DRILL at the building shall submit to an examination by the Bureau of Fire Prevention as to their experience and general fitness for such duties, and shall be so certified in writing by the FIRE COMMISSIONER.

Rule 11. Duties of Engineer.

It shall be the duty of the ENGINEER, SUPERINTENDENT or other PERSON IN CHARGE of a building having an interior fire alarm system to test such system daily immediately after the beginning of business, and to see that all apparatus operated by springs requiring winding are rewound after each alarm and kept in normal condition for operation.

Whenever it is necessary to test the fire alarm system at any other time of the day, owing to repairs, etc., being made, the PERSON IN CHARGE OF BUILDING will first notify all Foremen of the several floors of the intended test and likewise notify them when the repairs etc., are completed. This precaution is taken to prevent confusion and excitement, also misunderstanding of the alarm signals.

It shall also be the duty of the PERSON IN CHARGE OF BUILDING to sound the interior alarm system at irregular intervals, but not less than once each calendar month, for the purpose of holding practice fire drills. He shall keep on the premises a record of such drills showing the date when held and the required time for all occupants to reach the street or a point of safety outside the building.

The PERSON IN CHARGE OF BUILDING must immediately acquaint new tenants of the existence of the "Fire Drill" Organization and its purport.

Rule 12. Registration.

The name and address of every person, corporation or co-partnership, that will, under professional service, carry on the trade, business or calling of establishing, maintaining or supervising the "Fire Drill" shall be registered in the Fire Department, which Department shall, upon evidence of fitness, grant a certificate to that effect.

NOTICE

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

FFICE—Municipal Building, Rooms 1000 to 1018.

ELEPHONE—WOrth 2-0184.

FFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

CONTENTS

his issue of the Bulletin contains, in the order given—

ocket.

ules Directory.

otice of Adjournment.

he Hearing Calendar.

ules for Refrigerating Systems.

ules for Liquefiers used to convert solid carbon dioxide o a liquid and/or a gas.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to August 9, 1938

Cal. No. *Department* *Premises Affected*

685-38-BZ.....H.B.Q.....112-02 to 112-12 Northern boulevard, southeast corner of 112th street (Block 1727, Lots 1 and 5), Corona, Borough of Queens, N.B. 5253-38.

686-38-A.....F.D.....Pier No. 1, foot of 50th street, 533 ft. west of First avenue (Block 725, Lot 1), East River, Borough of Brooklyn, 358-L.F. and Decision.

687-38-A.....F.D.....Pier No. 2, foot of 49th street, 533 ft. west of First avenue (Block 725, Lot 1), East River, Borough of Brooklyn, F.P.M.V.O. 9308 and Decision.

688-38-A.....F.D.....Pier No. 3, foot of 47th street, 533 ft. west of First avenue (Block 725, Lot 1), East River, Borough of Brooklyn, 311-L.F. and Decision

689-38-A.....F.D.....Pier No. 4, foot of 46th street, 533 ft. west of First avenue (Block 725, Lot 1), East River, Borough of Brooklyn, 363-L.F. and Decision.

690-38-A.....F.D.....Pier No. 5, foot of 44th street, 533 ft. west of First avenue (Block 725, Lot 1), East River, Borough of Brooklyn, 788-L.F. and Decision.

691-38-A.....F.D.....Pier No. 6, foot of 42nd street, 513.08 ft. west of First avenue (Blocks 715 and 720, Lot 1), East River, Borough of Brooklyn, F.P.M.V.O. 9301 and Decision.

692-38-BZ.....H.B.B.....31-73 Bay 19th street, east side, 254 ft. south of 86th street (Block 370, part of Lot 23), Borough of Brooklyn, Applic. 7313-38.

693-38-A.....H.B.B.....101 North Oxford street, east side, 422 ft. 3 in. south of Park avenue (Block 2042, Lot 26), Borough of Brooklyn, Applic. 9635-38.

694-38-BZ.....H.B.Q.....85-06 Queens boulevard and 86-71 Grand avenue, southwest corner (Block 2477, Lot 16), Elmhurst, Borough of Queens, N.B. 5252-38.

695-38-A.....F.D.....49 South street, northwest corner of Gouverneur lane (Block 35, Lot 40), Borough of Manhattan, 1344-L.F.

696-38-A.....H.B.Q.....75th street, between Roosevelt avenue and 37th road (Block 1285, Lot 71), Jackson Heights, Borough of Queens, N.B. 544-37.

697-38-S.....F.D.....576-578 Fifth avenue, southwest corner of West 47th street (Block 1262, Lot 41), Borough of Manhattan, 36660-L.D. and Decision.

698-38-BZ.....H.B.Q.....118-02 to 118-10 Queens boulevard, southwest corner of 78th avenue (Devon place); (Block 3347, Lot 24), Forest Hills, Borough of Queens, Alt. 5394-38.

699-38-A.....F.D.....21-29 Hopkins street, north side, 230 ft. east of Nostrand avenue (Block 1719, Lot 66), Borough of Brooklyn, 75254-L.C. and Decision.

700-38-A.....F.D.....Pier No. 7, foot of 41st street, 1,335 ft. west of Second avenue (Block 710, Lot 1), East River, Borough of Brooklyn, F.P.M.V.O. 9302 and Decision.

701-38-BZ.....H.B.Q.....90-14 168th street, west side, 112.50 ft. south of 90th avenue (Block 867, Lots 77 and 79), Jamaica, Borough of Queens, Alt. 5422-38.

702-38-BZ.....H.B.M.....7-19 East Second street, south side, 95 ft. east of Bowery (Block 457, Lots 13-19 incl.), Borough of Manhattan, Decision

703-38-BZ.....H.B.Bx.....449-451 Westchester avenue north side, 94 ft. east of Bergen avenue (Block 2361 Lots 8 and 9), Borough of The Bronx, Decision

704-38-A.....H.B.M.....142 West 46th street, south side, 295 ft. east of Broadway (Block 998, Lot 52½) Borough of Manhattan, M.D.L. Order 165-38 and Alt. 2714-37.

705-38-BZ.....H.B.Q.....136-23 to 136-31 38th avenue north side, 208.88 ft. east of Main street and 136-30 to 136-38 37th avenue, south side, 276.65 ft. east of Main street (Block 4978, Lots 15 17, 69, 70 and 72), Flushing Borough of Queens, Decision re: Corr. 1828

706-38-A.....F.D.....Manufacture, sale, storage, use and transportation of anti freeze known as "Richfiel Super Anti-Freeze" in non refillable cans in New Yor City, Decisio

CALENDAR

07-38-A.....F.D.....4302-4320 Second avenue, entire block, First and Second avenues and 43rd and 44th streets (Block 726, Lot 1), Borough of Brooklyn,
75970-L.C.

08-38-BZ.....H.B.Q.....92-28 Horace Harding boulevard, southeast corner of Queens boulevard (Block 2075, Lot 5), Elmhurst, Borough of Queens,
N.B. 5251-38.

ESIGNATIONS: H.B.—Department of Housing and Buildgs; H.B.B.—Department of Housing and Buildings, Brooklyn; .B.M.—Department of Housing and Buildings, Manhattan; .B.Q.—Department of Housing and Buildings, Queens; .B.R.—Department of Housing and Buildings, Richmond; .B.Bx.—Department of Housing and Buildings, Bronx; H.D.—ealth Department and F.D.—Fire Department.

RULES

	Last Publication in Bulletin
rbon Dioxide Liquefier Rules....May	31, 1938—Vol. 23, No. 22
rtificate of Occupancy, approved form .....July	19, 1938—Vol. 23, No. 29
ncrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
ncrete Rules (Hydrated Lime)...Aug.	3, 1937—Vol. 22, No. 31
evator Rules .....Mar.	3, 1936—Vol. 21, No. 9
it Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
ctory Exit Rules.....May	24, 1938—Vol. 23, No. 21
re Alarm Rules (Interior).....July	12, 1938—Vol. 23, No. 28
re Drill Rules.....Aug.	9, 1938—Vol. 23, No. 32
re Retarding Rules for Garages, etc. .....Aug.	2, 1938—Vol. 23, No. 31
reproof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No. 15
ame Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No. 3
sion Welding and Gas Cutting Rules .....Aug.	2, 1938—Vol. 23, No. 31
s Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No. 14
tchway Protection .....June	5, 1928—Vol. 13, No. 23
Burner Rules.....Aug.	9, 1938—Vol. 23, No. 32
int, Varnish and Lacquer Spray-ing Rules .....April	26, 1938—Vol. 23, No. 17
tform Trucks, Specifications for.Nov.	24, 1936—Vol. 21, No. 47
mbing Rules .....Aug.	3, 1937—Vol. 22, No. 31
ocedure, Rules of.....Sept.	7, 1937—Vol. 22, No. 36
frigerating Systems, Extract C.O.June	14, 1938—Vol. 23, No. 24
oking in Factories, Rules for....June	28, 1938—Vol. 23, No. 26
inkler Rules .....June	29, 1937—Vol. 22, No. 26
ndpipe Fireline Rules.....June	8, 1937—Vol. 22, No. 23
uctural Alterations, Reporting...June	7, 1932—Vol. 17, No. 23
k Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No. 47
k Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No. 47
re Glass Rules (Amendment to Rule 505 of Industrial Code)..Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

ti-Siphon Valves .....Mar.	5, 1935—Vol. 20, No. 10
eline Hose Valves.....Aug.	2, 1938—Vol. 23, No. 31
l Oil Burners for Domestic and Commercial Use .....Aug.	9, 1938—Vol. 23, No. 32
l Oil Fill Pipe Terminals.....Aug.	2, 1938—Vol. 23, No. 31
l Oil Burners for Industrial Use.Aug.	9, 1938—Vol. 23, No. 32
l Oil Pumps.....Aug.	9, 1938—Vol. 23, No. 32
nt, Varnish and Lacquer Spray-ing Equipment .....April	26, 1938—Vol. 23, No. 17
ge Oil Burners and Space Heaters .....Aug.	9, 1938—Vol. 23, No. 32

ADJOURNMENT

Notice is hereby given that the next regular meeting of Board of Standards and Appeals will be held on Tues-, September 13, 1938, *at* 10 *a.m.*

AUGUST 16, 1938, 10 A. M.

SPECIAL MEETING

Appeals from Administrative Orders

-38-A—37-02 to 37-08 Main street, southwest corner of 37th avenue (Block No. 4971, Lot 27), Flushing, Borough of Queens.

665-38-A—513 Neptune avenue and 2804-2814 Holmes street, northwest corner (Block No. 7251, part of Lot No. 1), Borough of Brooklyn.

667-38-A—1211 Madison avenue and 49 East 87th street, northeast corner (Block No. 1499, Lot No. 20), Borough of Manhattan.

674-38-A—155 Quincy street, north side, 60 ft. west of Bedford avenue (Block No. 1971, Lot No. 33), Borough of Brooklyn.

677-38-A—52 Sands street, northeast corner of Adams street (Block No. 86, Lot No. 7), Borough of Brooklyn.

682-38-A—73-79 Henry street, northwest corner of Forsyth street and 75-85 East Broadway (Block No. 282, part of Lot No. 3), Borough of Manhattan.

686-38-A—Pier No. 41, foot of 50th street, 533 ft. west of 1st avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.

687-38-A—Pier No. 2, foot of 49th street, 533 ft. west of 1st avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.

688-38-A—Pier No. 3, foot of 47th street, 533 ft. west of 1st avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.

689-38-A—Pier No. 4, foot of 46th street, 533 ft. west of 1st avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.

690-38-A—Pier No. 5, foot of 44th street, 533 ft. west of 1st avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.

691-38-A—Pier No. 6, foot of 42nd street, 513.08 ft west of 1st avenue (Block Nos. 715 and 720, Lot No. 1), East River, Borough of Brooklyn.

693-38-A—101 North Oxford street, east side, 422 ft. 3 in. south of Park avenue (Block No. 2042, Lot No. 26), Borough of Brooklyn.

696-38-A—West side of 75th street, between Roosevelt avenue and 37th road (Block No. 1285, Lot No. 71), Jackson Heights, Borough of Queens.

695-38-A—49 South street, northwest corner of Gouverneur lane (Block No. 35, Lot No. 40), Borough of Manhattan.

699-38-A—21-29 Hopkins street, north side, 230 ft. east of Nostrand avenue (Block No. 1719, Lot No. 66), Borough of Brooklyn.

700-38-A—Pier No. 7, foot of 41st street, 1335 ft. west of 2nd avenue (Block No. 710, Lot No. 1), East River, Borough of Brooklyn.

706-38-A—Re Sale, use, transportation and storage of Anti-Freeze (inflammable mixture) known as "Richfield Super Anti-Freeze" in non-refillable cans in New York City.

707-38-A—4302-4320 Second avenue, entire block, 43rd, 44th streets, 1st and 2nd avenues (Block No. 726, Lot No. 1), Borough of Brooklyn.

Variations of Labor Law

661-38-S—1646-1650 Coney Island avenue, west side, 100 ft. south of Avenue M (Block No. 6573, Lot No. 12), Borough of Brooklyn.

697-38-S—576-578 Fifth avenue, southwest corner of West 47th street (Block No. 1262, Lot No. 41), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

RULES

EXTRACTS FROM CHAPTER 19, ARTICLE 18 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

ARTICLE 1.
General Provisions.

§C19-2.0. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

34. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condensor, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third (3⅓), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

(v) Public buildings, commercial buildings and residence buildings are buildings as so defined by Article 4, C26-235.0 of the Administrative Code of the City of New York.

(a) **Public Buildings.** Public buildings are structures or parts of structures in which persons congregate for civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, club houses with more than five sleeping rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

(b) **Residence Buildings.** Residence buildings are structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including multiple dwellings as defined in the Multiple Dwelling Law.

(c) **Commercial Buildings.** Commercial buildings are structures or parts of structures, which are not public buildings or residence buildings, including among others, office buildings, factory buildings, salesrooms (stores), markets, restaurants, warehouses, freight depots, car barns, stables, garages, motor vehicle repair shops, factories, laboratories, smoke houses, grain elevators, coal pockets, central station power plants and electric sub-stations.

ARTICLE 3.
Bonds and Fees.

§C19-24.0. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:

Class A systems	$20.00
Class B systems	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant	1.00

ARTICLE 18.
Refrigerating Systems.

C19- 96.0. Permits.
C26-214.0. Supervision.
C19- 97.0. Classification.
C19- 98.0. Permissible locations.
C19- 99.0. Refrigerating machinery rooms and ventilation.
C19-100.0. Open flames and electrical equipment.
C19-101.0. Testing.
C19-102.0. Piping.
C19-103.0. Safety devices.
C19-104.0. Size of safety devices.
C19-105.0. Location and discharge of safety devices.
C19-106.0. Operating precautions.
C19-107.0. Equipment diagrams.

§C19-96.0. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

1. That the refrigerants dichlorodifluoromethane, known s "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 also ichlorotetrafluoroethane ("F-114") $C_2Cl_2F_4$ and mono-uorotrichloromethane ("F-11" $CFCl_3$ are non-flammable nd non-irritant, unless otherwise hereinafter provided, and nall be regulated in accordance with the provisions of rticle 18 of Chapter 10 of the Code of Ordinances, as ich, except, when used in a room or rooms in which there an open flame or apparatus to produce an open flame, hen the provisions of said article covering irritant re-rigerants shall apply.

2. That refrigerating systems employing F-11; F-12 or -114 are restricted to parts of a building so specified in ection 219 (b) for refrigerants other than non-irritant id non-flammable.

3. That refrigerating systems employing F-11; F-12 or -114 used for air conditioning are restricted to the indi-ct method except that the direct method may be used in irts of a building so specified in Section 219 (b) for re-igerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11; F-12 or -114 shall not be installed or maintained in or on the airways, halls, lobbies, entrances, exits or auditoriums of ny building.

5. That refrigerating systems employing F-11; F-12 or -114, shall not be installed or maintained in a hospital, un-ss the entire system is confined in a fireproof machinery om, used for no other purpose, and in which no open me shall be employed, except that the Class "C" system ntaining not more than 10 pounds of refrigerant may be ed in a diet kitchen which shall be cut off from the rest the building by a tight fitting self-closing door or doors d provided with a window or windows to the outside . All open flames, and/or apparatus for producing an en flame, in diet kitchens where these refrigerants are ed shall be vented to the outside air as herinafter re-ired in Paragraph 8.

6. That refrigerating systems employing F-11; F-12 or 114 may be installed or maintained in a hospital private om, having tight partitions and tight fitting self-closing or or doors and where not more than two persons are lpless and/or given medical treatment, provided there is open flame and/or apparatus for producing an open me in such room and when the system contains not more an 10 pounds of refrigerant.

7. That a refrigerating system employing F-11; F-12 or 114 shall not be installed or maintained in a theatre d/or motion picture theatre unless the entire system is nfined in a fireproof machinery room, used for no other rpose, and in which no open flame and/or apparatus to oduce such open flame shall be employed.

8. That a refrigerating system employing F-11; F-12 or 114 when used in a room or rooms in which there is an n flame or apparatus to produce such open flame, such n flame and/or apparatus shall be provided with a hood l independent mechanical ventilation so arranged as to vey all the products of combustion to the outside of the lding. This provision shall apply only to diet kitchens hospitals and to Class "C" systems in schools, churches, ice halls, court rooms, police stations, jails, asylums, ways, passenger depots, rooms opening into passenger ots and/or subways and such other places as are deemed the Fire Commissioner necessary in the interest of pub-safety.

9. That each refrigerating machinery room in any ding in which F-11; F-12 or F-114 are used, shall be ntained vapor-tight and provided with tight fitting, self-ing doors, in accordance with Section 220-1-(a).

10. That each refrigerating machinery room in which 1; F-12 or F-114 is used, shall be adequately ventilated ctly to the outside air in accordance with Section 220-a-b-c and d.

11. Tests pressures and setting of safety valves for sys-s employing F-11, F-12 or F-114, shall be included in tion 222 (a) as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One ½ inch
30 to 60 "	One ¾ "
60 to 100 "	One 1 "
100 to 175 "	One 1¼ inches
175 to 250 "	One 1½ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section 227-3 (e) for other refrigerants.

14. That all other sections or parts of Article 18 of the Refrigerating Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§C26-214.0. Refrigeration System Operators; Certificate of Qualification.

(a) It shall be unlawful to maintain or operate in any building any refrigerating system containing more than fifty (50) pounds of refrigerant except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system. Where the system contains two hundred (200) pounds or less of refrigerant and is fully automatic, only one qualified operator will be required.

(b) It shall be unlawful to maintain or operate in a public building or exhibition hall any Class C system permitted for exhibition or demonstration purposes except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee $5, and for renewal thereof the sum of $1 provided application for such renewal be made for within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the superintendent.

§C19-97.0. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and more the amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

§C19-98.0. Permissible Locations.

(a) It shall be unlawful to install any Class A or Class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building provided a non-irritant and non-flammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(c) It shall be unlawful to use brine in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) It shall be unlawful to install or maintain a Class A system using ammonia in any building above the first floor level unless such building is used exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) It shall be unlawful to install or maintain a refrigerating system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits or auditoriums of any building;
2. Dance halls, court rooms, police stations, jails, subways, theatres, or motion picture theatres;
3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;
4. Rooms opening directly into a subway, or theatre, or motion picture theatre, or where persons are detained or confined;
5. A school unless the refrigerating system is used exclusively for instructions or research purposes;
6. A hospital or asylum in which persons are confined or given medical treatment or helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction.

The foregoing provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydrocarbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8″) of brick or six inches (6″) of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof doors.

§C19-99.0. Refrigerating Machinery Rooms and Ventilation.

a. Refrigerating machinery rooms.

1. All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and shall be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumb waiter shafts the door openings of which are protected with self-closing fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.

2. In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

b. Ventilation.

1. Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.

2. When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively of not less than that specified in Column D of the table in subdivision 4 shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in column E of such table.

3. When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in column B of the table in subdivision 4. The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of such table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

4.

	Pounds of Refrigerant in System.	Mechanical Cu. Ft. per Minute Discharge.	Window Area Mechanical Sq. Ft. Duct Area.	Window Area in Sq. Ft. for each Opposite Side.	Window Area in Sq. Ft. for One Side Only.
	A	B	C	D	E
Up to ...	20	150	1/4	1	6
	50	250	1/3	1 1/2	12
	100	400	1/2	2	16
	150	550	2/3	2 1/2	19
	200	680	2/3	3	25
	250	800	1	3 1/2	29
	300	900	1	4	32
	400	1,100	1 1/4	4 1/2	38
	500	1,275	1 1/4	5	42

600	1,450	1 1/2	6	45
700	1,630	1 1/2	6 1/2	48
800	1,800	2	7	51
900	1,950	2	7 1/2	55
1,000	2,050	2	8	59
1,250	2,350	2 1/4	9	68
1,500	2,800	2 1/2	11	78
1,750	3,150	3	12 1/2	87
2,000	3,500	3 1/2	14	95
2,500	4,150	4	16	113
3,000	4,500	4 1/2	18	130
4,000	6,000	6	24	167
5,000	7,500	7 1/2	30	204
6,000	9,000	9	36	241
7,000	10,500	10 1/2	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,500	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

5. Where a non-irritant or nonflammable refrigerant is employed, the requirements as given in the table in subdivision 4 may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

6. In lieu of mechanical means of ventilation in refrigerating machinery rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch (¼") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a ¾-inch pipe; five heads on a 1-inch pipe; six heads on a 1¼-inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated and easily accessible, and shall be labeled and located outside of the refrigerating machinery room.

§C19-100.0. Open Flames and Electrical Equipment.

a. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

b. Electrical equipment.

1. All Class A and B refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

2. Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§C19-101.0. Testing.

Every part of any refrigerating system, except pressure gauges and control mechanism shall be tested to at least the following pressures: Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant.	Col. 1. High Pressure Side.	Col. 2. Low Pressure Side. With Safety Valves.	Col. 3. Low Pressure Side. Without Safety Valves.
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	700
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§C19-102.0. Piping.

a. Piping.

1. All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

2. The arrangement of stop valves, relief devices, and other similar devices, when used shall be as shown on the diagram for Class A and B systems in section C19-107.0 of the code.

3. Every system which may be charged after installation shall have the charging connection located on its low pressure side.

b. Gauge glasses.

Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§C19-103.0. Safety Devices.

a. Construction and setting.

1. Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure from exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section C19-101.0 of the code, columns 1 and 2 of table.)

2. Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

b. Use of stop valves.

1. It shall be unlawful to locate a stop valve between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

2. A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

c. Ammonia mixer.

1. The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

2. The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

3. It shall be unlawful to locate a valve in the ammonia

emergency discharge line, except for the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

4. The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled with letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

5. A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch high reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

6. The fire department shall have sole use of the mixer and supply the necessary water.

7. In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

8. The ammonia mixer and its connection for a Class A system shall conform to the diagram in section C19-107.0 of the code.

§C19-104.0. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System.	CO_2 and Ethane, No. Req., Size.	Other Refrigerants, No. Req., Size.
Up to 30 tons.....	1—½"	1—½"
30 to 60 tons.....	1—½"	1—¾"
60 to 100 tons.....	1—½"	1—1"
100 to 175 tons.....	1—½"	1—1¼"
175 to 250 tons.....	1—¾"	1—1½"
250 to 450 tons.....	1—1"	1—2"
450 to 900 tons.....	.....	2—2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

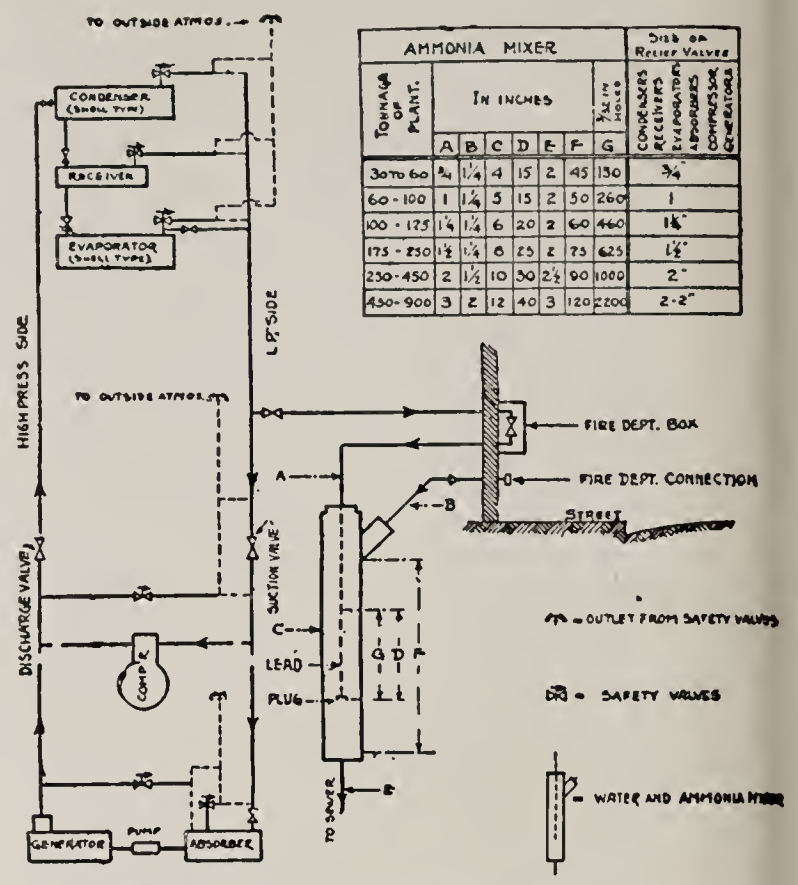
§C19-105.0. Location and Discharge of Safety Devices.

a. Location.

A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of part 1, of this title, to the contrary notwithstanding.

b. Location and discharge of safety devices.

1. Each compressor or generator of a Class A or B

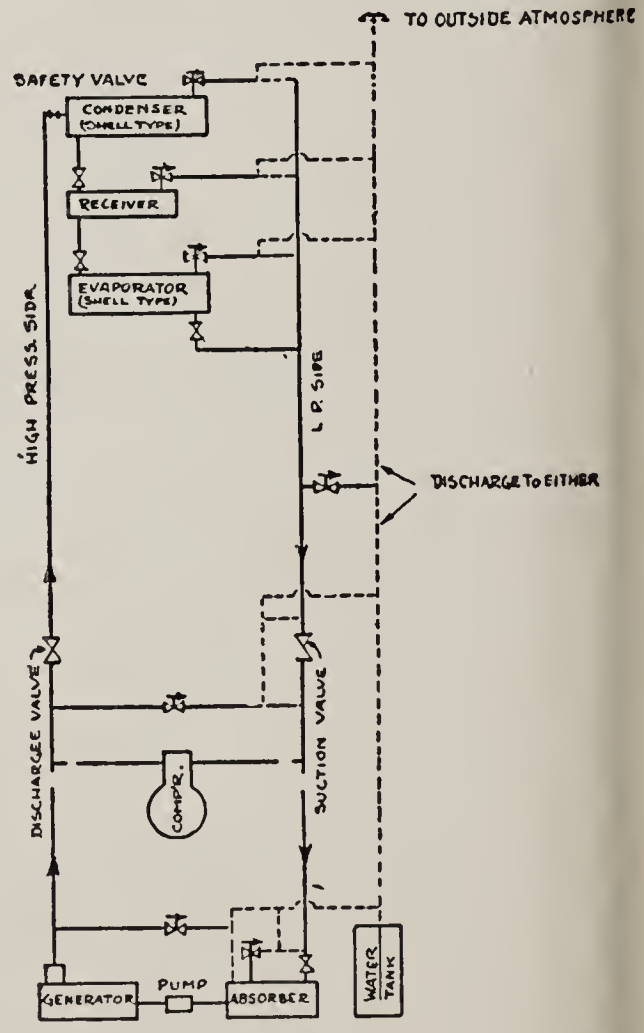


AMMONIA MIXER

Tonnage of Plant.	In Inches A	B	C	D	E	F	G	¾" Iron Pipe Size Holes	Size of Relief Valves: Condensers, Receivers, Evaporators, Absorbers, Compressor, Generators
30 to 60	¾	1¼	4	15	2	45	130		¾"
60 - 100	1	1¼	5	15	2	50	260		1"
100 - 175	1¼	1¼	6	20	2	60	460		1¼"
175 - 250	1½	1¼	6	25	2	75	625		1½"
250-450	2	1½	10	30	2½	90	1000		2"
450-900	3	2	12	40	3	120	2200		2-2"

ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "A" EQUIPMENT

Section C19-107.0



ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "B" EQUIPMENT

Section C19-107.0

system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

2. A rupture member may be substituted for the relief valve in CO_2 systems or systems operating below atmospheric pressure.

3. Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve, discharging as hereinafter provided.

4. Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

5. A pressure relief valve shall be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section C19-107.0 of the code.

c. Discharge of pressure relief valve.

1. Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in subdivision C, of section C19-103.0 of the code. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge pipe shall be not less than the size of the relief valve outlet. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

2. Where more than fifty (50) pounds of ammonia is used in a Class B system, the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems, or to the low pressure side as shown in diagrams in section C19-107.0 of the code, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth (⅛) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half (½) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

3. Where more than fifty (50) pounds of any refrigerant other than ammonia is used, the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbondioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

4. Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section C19-107.0 of the code.

§C19-106.0. Operating Precautions.

a. Masks and helmets.

1. In a Class A system which operates above atmospheric pressure, there shall be provided at least two helmets or masks.

2. In a Class B system in which more than fifty (50) pounds of ammonia, sulphur dioxide or other irritant refrigerant is used, there shall be provided at least one helmet or mask.

3. Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

b. Signs.

1. On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, containers and shell type coolers, signs having letters not less than one and one-half inches (1½") high, designating the part and refrigerant contained therein.

2. The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least 8½" by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system. The purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

3. The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

c. Storage of refrigerant.

1. Refrigerant not contained in the refrigerating system shall be stored only in non-inflammable or non-irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

2. Only two containers holding not more than a total of three hundred (300) pounds of inflammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class A system.

3. Only one container holding not more than one hundred and fifty (150) pounds of inflammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class B system.

4. In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

5. If a greater amount of inflammable or irritant refrigerant than that permitted in a refrigerating machinery room is desired, it shall be stored in a fireproof building or enclosure used for no other purpose.

6. When the refrigerant is withdrawn from a system it shall be discharged only into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. It shall be unlawful to permit any refrigerant to escape into the refrigerating machinery room.

7. Containers shall be connected to the system only during period of charging or withdrawing the refrigerant.

§C19-107.0. Equipment Diagrams.

(See arrangement of pressure relief devices for Class A and Class B equipment.)

ARTICLE 27.
Penalties.

§C19-152.0. Violations.

Any person who shall wilfully violate or neglect or refuse to comply with any provisions of part 1, of this title, except the provisions of article twenty-six, in addition to any other penalties prescribed by law, shall, upon conviction, be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both.

RULES

RULES FOR LIQUEFIERS USED TO CONVERT SOLID CARBON DIOXIDE TO A LIQUID AND /OR A GAS, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 214, ARTICLE 17 OF CHAPTER 10 OF THE CODE OF ORDINANCES

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 26, 1936.

EFFECTIVE, JULY 27, 1936.

(262-35-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 718-A, sub-division 3 of Chapter XIV-A of the Charter of the City of New York for the carrying into effect the provisions of Section 214, Article 17, Chapter 10 of the Code of Ordinances.

Rule 1. Certificate of Approval.

A Certificate of Approval shall be obtained by the manufacturer from the Fire Chief and Commissioner for each type of liquefier or converter to be used for the conversion of solid carbon dioxide to liquid carbon dioxide as in full compliance with these Rules. A Certificate of Approval shall also be obtained from the Fire Chief and Commissioner for each system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers as in full compliance with these Rules.

Rule 2. Certificate of Fitness.

A Certificate of Fitness shall be obtained from the Fire Chief and Commissioner for each operator of a liquefier system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers.

Rule 3. Inspection Test Report.

A disinterested inspection service, approved by the Fire Chief and Commissioner, shall inspect all material and workmanship of all liquefiers at the place of manufacture and shall verify compliance with these Rules, witness all tests and shall furnish the Fire Chief and Commissioner with a test report as follows:

A. Test reports for liquefiers, other than redesigned portable cylinders, shall show all information called for in paragraph 23, I. C. C. Specification 3A, except as follows:
   1. "Marks stamped into shoulder of cylinder." This shall be as per Rule "11 Marking" hereinafter specified. Actual markings shall be shown on test report.
   2. "Record of hydrostatic tests." This shall be as per Rule "9 Testing" hereinafter specified.
   3. Statement shall be furnished that liquefier covered in said test report comply with these Rules, and Certificate of Approval Number for the type of liquefier covered in said test report.

B. Test report for converted portable cylinders for liquefier use shall show for each converted cylinder the following:
   1. Liquefier Serial Number.
   2. Original number of cylinder used for conversion.
   3. Original ownership initials of cylinders used for conversion.
   4. Original I. C. C. marking of cylinder used for conversion.
   5. Original manufacturing test date of cylinder used for conversion, and name of original manufacturer.
   6. Test pressure applied to cylinder before conversion.
   7. Total expansion obtained on cylinder before conversion.
   8. Permanent expansion obtained on cylinder before conversion.
   9. Per cent expansion obtained on cylinder before conversion.
   10. Elastic expansion obtained on cylinder before conversion.
   11. Outside diameter and length of cylinder before conversion.
   12. A statement that the above cylinders before conversion into liquefiers were tested in a water jacket in accordance with these Rules and I. C. C. Regulations and the results appear above.
   13. A statement that the top thickness, opening for cover plate and distance across the corner where the side wall meets the bottom and at 45° to the side wall, was measured and the dimensions were found to conform with Rule 6, F. G. H and I.
   14. A statement that after assembly each liquefier was given an open hydrostatic test to 3,000 lbs. and this pressure was held for at least two minutes without showing a pressure recession of more than 75 lbs.
   15. The liquefier was marked as follows: (See Rule "11 Marking" for requirements.)
   16. A statement that these liquefiers conform to these Rules, and that the type of liquefier has been approved under New York City Fire Department Certificate of Approval Number .....

Rule 4. Construction Other Than Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO^2 to liquid CO^2 shall be constructed of seamless drawn steel in accordance with Specifications of I. C. C. governing cylinders for CO^2. Closure devices other than screw thread type shall conform with the following:

A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container
t = Wall thickness.
P = 3,000 lbs PSI.
S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.)

B. The "Top" is defined as that portion of the liquefier in which the closure device is installed and where the ice is introduced.

C. The minimum thickness of the top before machining shall be at least 3½ times the wall thickness.

D. The minimum thickness of the top after machining shall be at least 3 times the wall thickness.

E. The minimum distance from edge of the hole cut or shaped for the closure device to the outside of wall shall be 4½ times the wall thickness.

F. The maximum width of the machined seat shall not be more than 1½ times the wall thickness.

G. The outside radius connecting the top of the liquefier to its side wall shall not be more than 1½ times the wall thickness.

H. The inside radius connecting the side wall to the top before machining, shall not be less than 2½ times the wall thickness.

In lieu of the requirements as set forth in C to H inclusive above:

The top portion of the liquefier including closure plat

shall be designed with a factor of safety of not less than two at a test pressure of 3000 lbs. per sq. inch. The design shall be proven by a test to destruction for each type of liquefier before a certificate of approval shall have been issued.

.. A large fillet shall be provided in the corner of the machined seat where it meets the inside radius.

Rule 5. Construction Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO^2 to liquid CO^2 shall be constructed of seamless drawn steel in accordance with specifications of I. C. C. governing cylinders for CO^2. Closure device of the screw thread type shall conform with the following:

A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container.
t = Wall thickness.
P = 3,000 lbs. PSI.
S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.)

. The thread of the device shall be designed with a factor of safety of not less than 4 at a test pressure of 3,000 lbs. per sq. in. and the wall thickness after cutting thread shall not be less than that specified in Rule 5-A above.

Rule 6. Conversion of Portable Cylinders for Liquefier Use.

Seamless portable cylinders made to I. C. C. Specification 3 or 3A for oxygen or carbon dioxide and originally designed and used for the transportation of compressed or liquefied gases shall be acceptable for alteration or conversion into carbon dioxide liquefiers only under the following conditions;

. Cylinders which have been in a fire shall not be used for conversion into liquefiers until they have been properly heat treated and retested as specified in paragraph 423, of the I. C. C. Regulations.

. Cylinders which show surface dents, or which fail to give a clear ring on being struck with a hammer, shall not be used for conversion into liquefiers.

Before conversion into liquefiers, each cylinder shall be submitted to a hydrostatic test of 3,000 lbs. pressure in a water jacket under the conditions specified in paragraph 424 of the I. C. C. Regulations and the total and permanent expansion shall be recorded. A cylinder shall be condemned when it leaks or when the permanent expansion exceeds 10 per cent of the total expansion.

If in the hydrostatic test in the water jacket the net elastic expansion (total expansion less permanent expansion) at 3,000 lbs. exceeds the allowable limit given in the following table for the type of cylinder involved, such cylinder shall not be used for conversion into a liquefier. If the cubic capacity of a cylinder to be tested varies from the standard capacity given in the table for that type, then the allowable limit of elastic expansion will be varied in the same proportion.

TABLE I.

Type	*Cubic Capacity*	*Elastic Expansion Allowable Limit*
220 ft. oxygen	2,660 cu. in.	170 c.c.
200 ft. oxygen	2,660 cu. in.	170 c.c.
50 lbs. CO^2	2,360 cu. in.	150 c.c.

No cylinders designed and used for a portable container shall have the thickness of the side wall reduced by any cutting of threads in the process of conversion into a liquefier, except as specified in Rule "5-B Construction Screw Thread Type."

F. If the closure is formed by using a portion of the former bottom as a seat, this shall only be permissible if the dimensions of the liquefier conform to those shown in the Tables II, III and IV.

TABLE II.

Type	*Minimum Bottom Thickness*
220 ft. oxygen	.66 in.
200 ft. oxygen	.66 in.
50 lbs. CO^2	.66 in.

TABLE III.

Type	*Maximum Opening Permitted*
220 ft. oxygen	6⅛ in. x 7⅛ in.
200 ft. oxygen	6⅛ in. x 7⅛ in.
50 lbs. CO.²	5¾ in. x 6¾ in.

TABLE IV.

Type	*Minimum Thickness across corner at Point where the outside of the side wall meets the inside radius of bottom and at 45° to side wall.*
220 ft. oxygen	⅝ in.
200 ft. oxygen	⅝ in.
50 lbs. CO^2	⅝ in.

G. The maximum width of the machined seat for the gasket of liquefier shall be 5/16 in., and the inside radius connecting this seat to the side wall of the cylinder shall not be less than ⅛ in.

H. The minimum thickness of closure plate shall be 5 times the wall thickness of the cylinder. The closure plate shall be of a good grade of billet steel. Castings not permitted.

I. Before conversion into a liquefier, the cylinder shall meet a new hydrostatic test at the pressure at which such cylinder was originally tested, provided however, that no cylinder shall be converted unless for its original use it was tested to 3,000 lbs. pressure. Such new test shall be in a water jacket before conversion into a liquefier.

Rule 7. Spuds.

Spuds for chain connections or for reinforcing valve or pipe connections of not over ¾ in. pipe size shall be welded before heat treatment at place of manufacture of the liquefier.

Rule 8. Safety Devices.

Each liquefier shall be provided with two safety devices of frangible disc type attached to the liquefier at a point not lower than 6 inches from the top. The cross section area of the discharge channel, or channels (of the safety device, or devices) shall be at least .006 sq. in. for each 25 lbs. of liquefier water capacity and .00024 sq. in. additional for each additional pound of water capacity. Safety devices having two or more outlets shall be so constructed that these outlets will have a combined total area of not less than one and one-half times that prescribed for the safety discharge channel. The frangible disc of the safety devices shall be designed to release at a pressure of not more than 2,000 lbs. per sq. in.

Rule 9. Testing.

Each liquefier after assembly shall be tested hydrostatically by an approved independent testing agency for not less than two minutes to a pressure of 3,000 lbs. per sq. in. without showing a pressure recession of more than 75 lbs.

per sq. in. The inspection service shall file a satisfactory record on test report stating that the liquefier passed the above required test.

Rule 10. Quinquennial Test.

Liquefiers used for any purpose shall be retested at least every five years to a pressure of 3,000 lbs. per sq. in. in the same manner and under the same requirements as at the time and place of manufacture and the date of retest shall be stamped thereon.

Rule 11. Marking.

Each liquefier shall bear marking as follows:

A. Name of owner.
B. Serial number.
C. Name or trade mark of manufacturer.
D. Date of manufacture.
E. Test pressure.
F. Inspection service mark.
G. Maximum filling charge based on filling to not more than 68 per cent of the water content by weight.

Rule 12. Filling.

Each liquefier shall be placed and used in a vertical position with filling effected while liquefier is properly secured.

Rule 13. Maximum Charge.

Liquefiers shall not be filled with solid carbon dioxide in excess of 150 lbs. nor in excess of 68 per cent by weight of the water capacity of the liquefier.

Rule 14. Use of CO^2 Systems and Liquefiers.

A. Carbon dioxide liquefier converting systems for filling portable cylinders shall not be used in any building occupied in whole or in part as a residence or as a multiple dwelling, or as place of public assembly, or in a building not used exclusively for manufacturing purposes.
B. Except in buildings used exclusively for the manufacture of carbon dioxide or other compressed gases, not more than 8 liquefiers of a maximum combined capacity of 1,200 lbs. of carbon dioxide shall be headed in a battery and not more than one such battery shall be permitted in a building.
C. Liquefiers may be manifolded only by the use of extra heavy steel or wrought iron pipe, or extra heavy seamless copper or brass tubing, of not larger than ¾ in. I. P. S. Fittings shall be high pressure forged steel or extra heavy bronze hydraulic type.
D. Each manifold shall be protected by a frangible disc safety device of the same size and type as those prescribed for the liquefier, and designed to release at a pressure of not more than 2,000 lbs. per sq. in. In addition, the liquid manifold shall be protected by a spring safety valve so set as to relieve the pressure at not more than 1,600 lbs. per sq. in.
E. When carbon dioxide gas is conducted through pressure reducing valve between liquefier and point of use, the use of a heater will be permitted, but said heater shall be so arranged that heat may be applied indirectly. This heater shall consist of a coil immersed in water. The source of heat shall then be applied to the water but not directly to the coil.

Rule 15. Test of Piping.

Each liquefier or battery of liquefiers to be used for the filling of portable cylinders or other containers with liquid carbon dioxide and all the piping connected thereto, shall be hydrostatically tested in the presence of the representatives of the Fire Chief and Commissioner before the solid carbon dioxide is first put into the system. A hydrostatic pressure of 2400 lbs. per sq. in. shall be maintained for fifteen minutes, released for five minutes, and again applied for a period of fifteen minutes without any visible leak or reduction of pressure. This test shall be repeated at least every five years.

Rule 16. Approval Systems for Filling Portable Cylinders.

Each liquefier or battery of liquefiers used for filling portable cylinders or other containers, shall be permanently labeled or marked showing the Fire Department Certificate of Approval Number together with date of last test.

Rule 17. Acceleration.

Defrosting, or acceleration of liquefaction, shall be by use of water only, the water shall be of a temperature not above 85° Fahrenheit.

Rule 18. CO^2 Portable Cylinders.

A. Portable cylinders or other containers to be filled with liquid carbon dioxide shall be constructed and marked in accordance with the Specifications of the Interstate Commerce Commission for carbon dioxide cylinders and shall have been tested within intervals of not more than five years as evidenced by official marking. Cylinders not so constructed and marked shall not be filled with carbon dioxide.
B. The maximum filling of liquid carbon dioxide, with one pound allowable variation in each cylinder, shall not be over 20 lbs. for standard cylinders 5½ in. in diameter by 51 in. long, nor over 50 lbs. for standard cylinders 8½ in. in diameter by 51 in. long and larger. No cylinder shall be filled with carbon dioxide to more than 68 per cent of the water capacity, by weight, of the cylinder.
C. The amount of liquid carbon dioxide charged into portable cylinders or other containers shall be determined by weight by use of a dial scale having a movable indicator, and this weight shall also be checked after disconnecting from the charging line.

Rule 19. Existing Installations.

Liquefiers or converters to which these rules and regulations cannot be applied, may be maintained and operated if approved by the Board of Standards and Appeals, under such conditions as are deemed necessary in the interest of public safety.

NOTICE

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

blished weekly by the Board of Standards and Appeals at its office, Rooms 1000 to 1018, Municipal Building, New York City.

ol. XXIII | Subscription $2.50 a year | AUGUST 23, 1938 | Single Copies, 5 cents By Mail, 8 cents | No. 34

DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

FICE—Municipal Building, Rooms 1000 to 1018.

EPHONE—WOrth 2-0184.

FICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

CONTENTS

s issue of the Bulletin contains, in the order given—

ket.

es Directory.

ce of Adjournment.

s for Fusion Welding and Gas Cutting.

roved Fireline Hose Valves.

roved Fuel Oil Fill Pipe Terminals.

sed Certificate of Occupancy Form.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to August 16, 1938

Cal. No.	*Department*	*Premises Affected*
709-38-A	F.D.	100 Greenwich street, west side, 59 ft. north of Rector street (Block 53, Lot 38), Borough of Manhattan, 13082-L.C. and Decision.
710-38-A	F.D.	416 Pleasant avenue, southeast corner of East 122nd street (Block 1818, Lot 24), Borough of Manhattan, 11976-L.C. and Decision.
711-38-BZ	H.B.M.	14-18 Tieman place, south side, 200 ft. east of Broadway (Block 1981, Lot 58), Borough of Manhattan, N.B. 105-38.
712-38-BZ	H.B.B.	1604-1648 Ocean avenue, west side, 120 ft. south of Avenue K (Block 6730, Lots 63 and 72), Borough of Brooklyn, Alt. 8237-38.
713-38-SA		G-68 Fuel Unit for Oil Burners, Appliance.
714-38-SM		Reynolds Ecod Welded Wire Fabric, manufactured by Reynolds Metals Company, Material.
715-38-BZ	H.B.Q.	East side of Main street, 318.88 ft. north of Union turnpike (Blocks 6670 and 6671, Lot —), Flushing, Borough of Queens, N.B. 6164-38.
716-38-SM		Alumintop Nos. 1, 5 and 6 for re-roofing, manufactured by The Clement-Hallows Company, Material.
717-38-A	H.B.B.	502-506 Fulton street, south side, 40 ft. east of Bond street, 9-17 Bond street and 16-20 Hanover place (Block 160, Lots 15, 16, 17 and 7), Borough of Brooklyn, Decision re: Permit 7332-38.
718-38-A	H.B.B.	10-14 Hanover place, west side, 70 ft. 2 in. south of Fulton street and 508-512 Fulto street (Block 160, Lots 2 24 and 25), Borough Brooklyn, Decision re: Permit 7331-3

DESIGNATIONS: H.B.—Department of Housing and Buil ings; **H.B.B.**—Department of Housing and Buildings, Brooklyn **H.B.M.**—Department of Housing and Buildings, Manhattan **H.B.Q.**—Department of Housing and Buildings, Queens **H.B.R.**—Department of Housing and Buildings, Richmon **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.** Health Department and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules	Aug. 16, 1938—Vol. 23, No.
Certificate of Occupancy, approved form	Aug. 23, 1938—Vol. 23, No.
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No.
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No.
Elevator Rules	Mar. 3, 1936—Vol. 21, No.
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No.
Factory Exit Rules	May 24, 1938—Vol. 23, No.
Fire Alarm Rules (Interior)	July 12, 1938—Vol. 23, No.
Fire Drill Rules	Aug. 9, 1938—Vol. 23, No.
Fire Retarding Rules for Garages, etc.	Aug. 2, 1938—Vol. 23, No.
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No.
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No.
Fusion Welding and Gas Cutting Rules	Aug. 23, 1938—Vol. 23, No.
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No.
Hatchway Protection	June 5, 1928—Vol. 13, No.
Oil Burner Rules	Aug. 9, 1938—Vol. 23, No.
Paint, Varnish and Lacquer Spraying Rules	April 26, 1938—Vol. 23, No.
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No.
Plumbing Rules	Aug. 3, 1937—Vol. 22, No.
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No.
Refrigerating Systems, Extract C.O.	Aug. 16, 1938—Vol. 23, No.
Smoking in Factories, Rules for	June 28, 1938—Vol. 23, No.
Sprinkler Rules	June 29, 1937—Vol. 22, No.
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No.
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No.
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No.
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No.
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No.

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No
Fireline Hose Valves	Aug. 23, 1938—Vol. 23, No
Fuel Oil Burners for Domestic and Commercial Use	Aug. 9, 1938—Vol. 23, No.
Fuel Oil Fill Pipe Terminals	Aug. 23, 1938—Vol. 23, No
Fuel Oil Burners for Industrial Use	Aug. 9, 1938—Vol. 23, No
Fuel Oil Pumps	Aug. 9, 1938—Vol. 23, No
Paint, Varnish and Lacquer Spraying Equipment	April 26, 1938—Vol. 23, No
Range Oil Burners and Space Heaters	Aug. 9, 1938—Vol. 23, No

ADJOURNMENT

Notice is hereby given that the next regular meeting the Board of Standards and Appeals will be held on Tu day, September 13, 1938, *at* 10 *a.m.*

WARNING

Notice is hereby given to all appellants **and applicants,** and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the board and of the further publication of calendars in the daily press.

Fourth, That no one is entitled to written notice of date for the hearing in his case, and that the plea of fail to receive such notice is no excuse for neglect to appe

Fifth, That the business of the board is to dispose of cases promptly, for the reason that the pendency of appeal or application ties the hands of the administra official in enforcing his order; therefore, no appeal or plication will be held in abeyance by reason of failure the appellant or applicant to file necessary data, or by other method of delay.

Sixth, That no appeal or application will be accepted filing unless, at the time of filing, all papers, plans and required by law are supplied, as specified on the b appeal or application forms.

RULES

RULES FOR FUSION WELDING AND GAS CUTTING.

RULES COVERING THE SPECIFICATIONS FOR DESIGN, FABRICATION AND INSPECTION OF FUSION WELDED STRUCTURES AND THE QUALIFICATIONS OF WELDERS AND SUPERVISORS.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 25, 1938.
EFFECTIVE MARCH 21, 1938.

[Cal. No. 1-38-SR]

uthority:
Pursuant to the authority vested in the Board of Standds and Appeals by Section 666, paragraph 2, of the harter of the City of New York and C26-514.0 of the dministrative Code (8.6.2.2).

COPE.

These rules are supplementary and additional to the quirements for Fusion Welding as permitted under C26-4.0 of the Administrative Code (8.6.2.2) reading:
Fusion welding may be substituted for, or used in comnation with, riveting or bolting to connect or assemble e component parts of steel beams, girders, lintels, trusses, lumns and other structural steel used in building conuction if done under rigid inspection and specification, accordance with the rules of the Board. These Rules all also apply to gas cutting.

OTE: Where a reference in parenthesis appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.

ule 1. Application For Permits.

1.1 No person shall perform gas or electric welding on structures or parts thereof erected or to be erected within the City of New York except as provided in these Rules and in conformity with C26-211.0 of the Administrative Code (2.3.2).

1.2 The commencement of any structural welding work is forbidden until an application for a permit to perform such work is filed with and approved by the superintendent. The superintendent shall be notified in writing at least 48 hours prior to the date when the structural welding work is to commence. C26-172.0 of the Administrative Code (2.1.1.12).

ule 2. Definitions.

2.1 ARC WELDING. A fusion welding process wherein the welding heat is obtained from electric arc formed between the base metal and metal electrode.

2.2 BASE METAL. The metal upon which the weld or cut is made.

2.3 BUTT WELD. A butt weld is a weld whose throat lies in a plane disposed approximately 90 degrees with respect to the surfaces of at least one of the parts joined. The size of a butt weld shall be expressed in terms of its net or unreinforced throat dimension in inches. C26-158.0 of the Administrative Code (1.149).

2.4 CONTINUOUS WELD. A weld which is uninterrupted throughout the length of the joint.

2.5 CRATER. An unfilled concave depression in the fusion area of an arc weld resulting from penetration of the welding arc into the metal thereunder.

2.6 FILLER METAL. Metal especially prepared for addition to the weld. This term shall apply to this material only before deposition.

2.7 FILLET WELD. A fillet weld is a weld of approximately triangular cross section, whose throat lies in a plane disposed (inclined) approximately 45 degrees with respect to the surfaces of the parts joined. The size of a fillet weld shall be expressed in terms of the width in inches of its adjacent fused sides. C26-158.0 of the Administrative Code (1.149).

2.8 FLAT WELD. A weld made by the fusion welding process on a horizontal plane or one inclined not over 45 degrees to the horizontal, the weld being made from the upper side of the parts joined.

2.9 FUSION WELDING. Fusion welding is the process of joining metal parts in the molten, or molten and vapor states, without the application of mechanical pressure or blows. Under these rules fusion welding is restricted to arc and gas welding processes. C26-75.0 of the Administrative Code (1.67).

2.10 GAS CUTTING. Gas cutting is the process of severing ferrous metals by means of the chemical behavior of oxygen, in the presence of ferrous metals at high temperatures, to produce a kerf, or cut, of uniform width without burning the edges of the kerf or cut. C26-77.0 of the Administrative Code (1.69).

2.11 GAS WELDING. A fusion welding process in which the heat of welding is supplied by the combustion of oxygen and acetylene or other fuel gas in a suitable torch. Filler metal may be melted from a welding rod. Under these rules, gas welding is restricted to the oxy-acetylene process wherein filler metal is added.

2.12 HORIZONTAL WELD. A weld made by the fusion welding process on a plane vertical or inclined less than 45 degrees with the vertical, the linear direction of the weld being horizontal or inclined not more than 45 degrees to the horizontal.

2.13 LAYER. A stratum of weld metal of a fusion weld and consisting of one or more interwoven beads.

2.14 OVERHEAD WELD. A weld made by the fusion welding process on a horizontal plane or one inclined not over 45 degrees to the horizontal, the weld being made from the underside of the parts joined.

2.15 OVERLAP. A condition of lack of fusion where the deposited metal has overflowed the fused area of metal.

2.16 PENETRATION. The linear distance that the deposited metal penetrates below the original surface of the base metal.

2.17 ROOT. A root is the zone at the bottom of the cross-sectional space provided to contain a fusion weld. C26-312. (CL) of the Administrative Code (1.122).

2.18 SLOT WELD. A weld made in an enclosed or partially enclosed opening formed in one of the parts of a lap joint.

2.19 SUPERINTENDENT. Wherever the word "Superintendent" appears in these Rules, it shall mean the Superintendent of Housing and Buildings of the borough having jurisdiction.

2.20 TACK WELD. A weld of random size or shape intended only to fix a member or part thereof of a structure, in correct position preparatory to final welding, and shall not be considered to transmit stress.

2.21 THROAT. The minimum thickness of a weld along a straight line passing through the root. Throat of a fillet weld is the distance along a line from the root to the hypothenuse at right angles thereto, of the largest isosceles triangle which can be constructed in the cross section of the fillet weld. The throat of a butt weld shall be equal to the thickness of the thinner part joined. C26-53.0 of the Administrative Code (1.144).

2.22 UNDERCUT. A condition wherein the base and weld metal is melted away leaving a depression, the surface of which lies below the designed surface contour of the joint.

2.23 VERTICAL WELD. A weld made by the fusion welding process on a plane vertical or inclined less than 45 degrees with the vertical, the linear direction of the weld being vertical or inclined not more than 45 degrees to the vertical.

2.24 WELD DIMENSIONS. The dimensions of a weld shall be expressed in terms of its size and length. C26-158.0 of the Administrative Code (1.149).

2.25 WELD LENGTH. Shall be considered to be the unbroken length of the full cross-section of the weld exclusive of the length of any craters. C26-158.0 of the Administrative Code (1.149).

Rule 3. Design and Supervision.

3.1 The licensed architect or licensed professional engineer designing or supervising the construction of a welded structure shall be experienced and skilled in such work. C26-515.0 (c) (8.6.2.3.3).

3.2 PERMISSIBLE UNIT STRESSES.

In the design of welded structures or parts thereof the stress at every connection must be accurately calculated and the required amount and the exact type and location of weld and filler metal with respect to the parts joined be specified.

3.2.1 Welded joints shall be so proportioned that the maximum stresses shall be less than the following amounts in pounds per square inch:

Shear on section through the throat of a weld	11,300
Tension on section through the throat of a weld	13,000
Compression on section through the throat of a weld	15,000

Maximum fiber stresses due to bending shall not exceed the maximum values allowed above for tension and compression respectively. C26-368.0b (6) of the Administrative Code (7.4.5.6).

3.2.2 Stress on a fillet weld shall be considered as shear for any direction of the applied stress.

3.2.3 Adequate provision shall be made for bending stresses due to eccentricity in the disposition or section of base metal parts.

3.2.4 The allowable compressive strength mentioned in these Rules is not intended to prevent butt welds being used across the entire section to transmit the total compressive stress in compressive flanges of beams, girders, truss plates or compression blocks or other members protected against lateral deflection even though such stress exceeds 15,000 lbs. per sq. in., but not exceeding the maximum allowable compressive stress in the parts joined.

3.3 WORKING STRESSES FOR WINDLOADS. When the stress in any member due to wind is less than 33⅓% of the stress due to live and dead loads, it may be neglected. For combined stresses due to wind and other loads, the permissible working stresses may be increased 33⅓%, provided the section thus found is at least that required by the dead and live loads alone. For stresses due to wind only, the permissible working stress shall be the same as for live and dead loads. C26-372.0, 373.0 and 374.0 of the Administrative Code (7.4.8).

3.4 WELDED GIRDERS. In welded girders the connection of component parts of flanges to each other and of flanges to webs shall be by continuous or intermittent fillet welds designed to transmit the stress. C26-520.0 (d) of the Administrative Code (8.6.2.8.4).

3.5 Girders shall be proportioned either by their moments of inertia or by the flange-area method; in the latter method, when applied to a welded girder having no holes in the web, 1/6 of the web area may be considered a part of the area of each flange. Stiffeners may be either angles or flat plates, welded to the web and flanges by welds designed to transmit the stresses.

3.6 BEAMS. The use of continuous beams and girders, shall be permitted provided their welded connections be designed to transmit the stresses involved in continuous beam construction and columns are designed for the moment added by such construction. At the ends of non-continuous beams, the connections shall be designed to avoid excessive secondary stresses due to bending.

3.7 WELDED COLUMNS. C26-520.0 (e) of the Administrative Code (8.6.2.8.5). Fillet welds connecting the component parts of a built-up column may be either continuous or intermittent. If intermittent the length of each weld at the ends of the column shall be equal to the least width of the column. The length of the intervening welds shall be at least one and one-half inches, spaced at most four inches in the clear. The size, length and spacing of the fillet welds shall be such as to provide the same strength, per unit of column length, as the allowable shearing stresses in structural steel for power driven rivets. Lattice bars and tie plates shall be welded so as to obtain strength equal to that specified in C26-368.0b (6) of the Administrative Code (7.4.5.4). Shearing stresses.

3.7.1 Where column splices are welded, welds must be provided equal in strength to the shear of the standard column splice.

3.8 WELDED BUTT JOINTS. The edges of base metal parts, one-quarter inch or more in thickness transmitting stress by means of butt welds shall be beveled. For single and double "V" joints, the bevel of each part shall be at least 30 degrees. For single and double bevel joints, the bevel shall be at least 45 degrees.

Before welding, the root edge or face of one part shall be separated from the root edge or face of the other part by not less than 1/16 inch nor more than ¼ inch.

Butt welds shall be reinforced by depositing additional metal on the weld to a height extending beyond the surface of the thinnest part joined. The height of such reinforcement shall be at least the following percentages of the thickness of the thinnest part joined: 20 percent for single "V" and single bevel butt welds, and 12½ percent on each side, for double "V" and double bevel butt welds C26-520.0(f) of the Administrative Code (8.6.2.8.6).

3.9 FILLET WELDS. The length of any fillet weld shall be made not less than four times the weld size or else the size of the weld shall be considered not to exceed ¼ of the length for purposes of calculating strength under these rules.

3.10 WELDS IN SLOTS OR HOLES. When welding inside a slot or hole in a plate or other part, in order to join same to an underlying part, fillet welding may be used along the wall or walls of the

slot or hole, but the latter shall not be filled with weld metal or partially filled in such manner as to form a direct weld-metal connection between opposite walls, except that fillet welds along opposite walls may overlap each other for a distance of one-fourth of their size. No slot or hole shall be less in width or diameter than 1½ times its depth.

3.11 FIELD RIVETED, BOLTED AND WELDED CONNECTIONS. C26-521.0 of the Administrative Code (8.6.2.9).

3.11.1 In tier structures less than 125 feet high, in which the height is less than two and one-half times the minimum horizontal dimension, all column splices and field connections may be bolted.

3.11.2 In structures in which the height is over 100 feet and is more than two and one-half times the minimum horizontal dimension, and in structures 100 feet or less in height in which the height is more than four times the minimum horizontal dimension, column splices and connections to columns shall be riveted or welded.

3.11.3 In structures over 125 feet in height and in all structures of a special character, connections of beams and girders to columns, and beams and girders bracing columns shall be riveted or welded. Column splices in structures 200 feet or more in height shall be riveted or welded. Column splices in tier structures less than 200 feet high (except as provided in the preceding paragraph) may be bolted.

3.11.4 All other field connections may be bolted (except that, in all structures, the connections for supports for running machinery or other moving loads shall be riveted or welded).

3.11.5 Within existing structures steel work for alterations, or additions (except to the main structural framework), which do not affect existing column splices, connections and other riveted or welded work, may be bolted.

3.12 COMPLETION OF WORK.
Upon the completion of all structural welding operations, the licensed architect or licensed professional engineer responsible for the design of the structure shall certify to the Superintendent that the fabrication and welding of such structure have been carefully inspected and that the requirements of his design and these Rules have been fulfilled in every respect by the contractor who has done the welding.

Rule 4. Board of Examiners for Welders.

4.1 The Board of Examiners for Welders provided for in C26-209.0 of the Administrative Code (2.3), shall be appointed by the Commissioner of Housing and Buildings from members of the staff of the Department as recommended by the Superintendents. All certificates of qualification issued shall be uniform for the five Boroughs. There shall be a separate certificate for gas welding and for electric arc welding, which certificates shall not be interchangeable and shall apply specifically to the type of work to be done and shall be issued in accordance with Rule 5.

4.2 WELDERS TO BE QUALIFIED. No person shall perform welding work on any structural member of a structure without having obtained a certificate of qualification from the Board of Examiners for Welders. C26-211.0 of the Administrative Code (2.3.2).

4.2.1 Before a certificate of qualification may be issued authorizing a person to perform welding work on any structural member of a structure, the person applying for such certificate shall have submitted to and satisfactorily passed an examination to determine his qualifications, conducted by Board of Examiners for Welders to be appointed by the Commissioner. A certificate of qualification shall be issued to each applicant having proved his qualifications and upon the payment of a fee of Two Dollars. Such certificate shall continue in effect for a period of one year unless sooner revoked or suspended and to be effective thereafter shall be renewed annually. The annual renewal fee shall be One Dollar.

4.2.2 No person shall be eligible for a certificate of qualification to perform welding work as provided in this section unless he is a citizen of the United States of America.

4.2.3 The Superintendent may revoke or suspend a certificate of qualification of any person, if workmanship on any structural welding is such as to indicate incompetency or negligence which might endanger a structure or result in injury to humans.

Rule 5. Qualification Test for Welders.

5.1 These qualification tests shall be conducted by the Board of Examiners for Welders or its representative but, in the discretion of the Board of Examiners for Welders documentary or other evidence, or both, that the applicant has passed the qualification test, conducted by a standard testing laboratory or an inspection by the Superintendent or his representative may be accepted as satisfactory proof of the applicant's fitness to make structural welds in accordance with Rule 5.4. Welders performing work outside New York City may be qualified under this rule. C26-381.0 of the Administrative Code (8.1.2).

5.2 Qualification for arc welding shall not constitute qualification for gas welding, and vice versa. Qualification for welding with bare electrodes shall not constitute qualification for welding with flux-coated electrodes, and vice versa.

5.3 The foregoing provisions are not intended to bar an applicant from further trial in case of one or more failures, or to require an operator who has passed the tests to qualify anew for every job he may undertake.

5.4 QUALIFICATION REQUIREMENTS.

5.4.1 Before issuance of a certificate of qualification by the Board of Examiners for welders the applicant shall have passed the qualification tests prescribed as follows:

5.4.2 The minimum qualification requirements shall be the welding of test specimens of the type shown in Fig. 2 and specified in Rule 5.4, each specimen to be tested for failure in a reliable tension testing machine and to develop ultimate resistance not less than 80 kips if welded with filler metal of grade 2, 4, 10 or 15; or 67 kips if welded with filler metal of grade 20, 30 or 40.

5.4.3 Two specimens shall be welded in the downward or flat welding position, two in the vertical welding position and if the operator is to perform overhead welding, two in the overhead welding position.

5.4.4 The form of test specimen shall be as shown in Fig. 2, consisting of four steel bars or plates connected by four approximately equal

fillet welds. The specifications of the bar steel shall conform to Rule 7. The welding edges of the splice bars shall be cut flat and square and any burrs shall be removed. The bars shall be clamped securely together and tack welded in proper position with the splice bars centered on the main bars and the faces of the main bars in true planes, in preparation for the test welding. Welding shall be performed with the same process (arc or gas), the same welding procedure, and the same type of electrodes or welding rods as are to be used in the work for which the operator is being tested; the diameter of electrodes or rods shall be the largest to be used in the work, for which the applicant proposes to qualify.

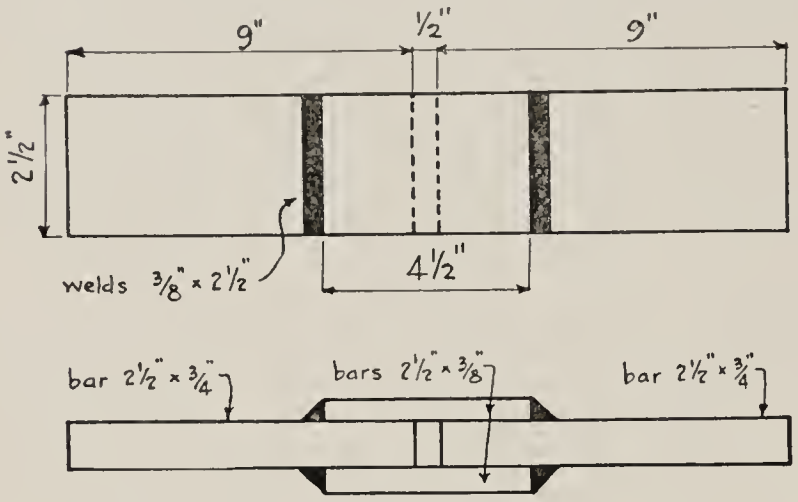


FIG. 2

Welds shall be made as nearly as possible to the designed dimensions, and in conformity with the practices set forth in Rule 6; at every cross-section the weld size in each direction shall be within 1/16 in. of the prescribed ⅜ in.

Rule 6. Quality of Welds.

The quality of welds permitted under these rules shall conform to the following requirements:

6.1 The Quality of Test Welds and Construction Welds shall fulfill all requirements with regard to shape and internal quality.

6.1.1 All lap welds shall indicate good penetration to the root of the weld and good fusion at both sides of the bead.

6.1.2 All fillet welds shall show absence of undercutting, proper shape of the bead, lack of overlaps and proper fusion.

6.1.3 All butt welds shall show good fusion without overlapping or undercutting.

6.2 UNDERSIZE WELDS. Undersize or undercut welds shall be built up by welding to conform to the weld cross-section called for in the drawings and specifications. The surface of previously deposited welds shall be cleaned of oxides or slag before any reinforcing weld metal is applied.

6.3 Shape.

6.3.1 Welds shall conform in shape to those shown on Figs. 3a and 4a and shall not be undersized.

6.3.2 Surfaces of weld shall be reasonably smooth and uniform in contour. Weld metal along the toe of the weld shall not overlap the base metal surface but shall form an intimate contact therewith as shown in Figure 3.

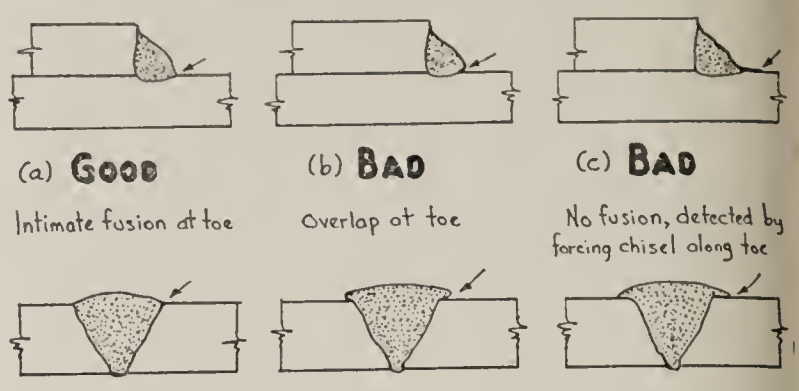


FIG. 3

6.3.3 INTERNAL QUALITY. The weld metal shall be sound throughout and shall be free from oxides, non-metallic inclusions and gas pockets. The weld metal shall be thoroughly fused with the base metal along all surfaces and edges of union, and shall penetrate into the root of the weld, as shown in Fig. 4a.

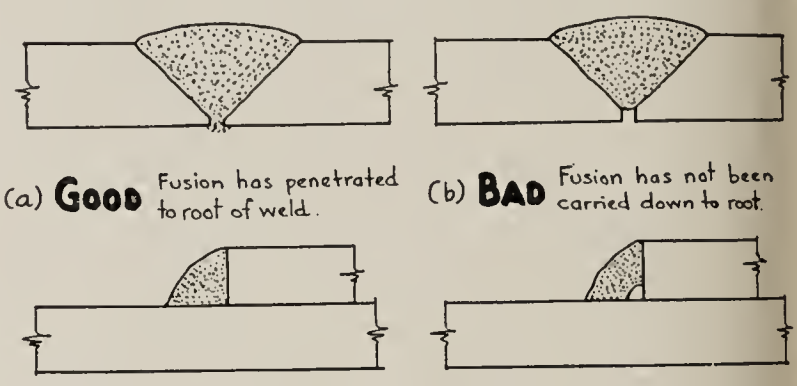


FIG. 4

6.3.4 WELD ENDS. The ends as well as the body of the welds shall conform to all the requirements of Rule 6.

Rule 7. Specifications and Tests of Welding Materials.

7.1 Structural steel shall conform to A.S.T.M. Specifications A-7-36 or A-9-36.

7.2 Filler metal (electrodes or welding rods) shall conform to all requirements of A.S.T.M. Specifications A205-37.T and the superintendent may accept certified test results from a reputable manufacturer that tests have been made in conformance with these specifications.

Rule 8. Gas Cutting of Structural Steel.

C26-526.0 (a) to (g) of the Administrative Code (8.6.3.2.1-7 inc.).

8.1 Contractors desiring to do gas cutting shall be required to satisfy the Superintendent as to their ability to produce satisfactory gas cuts.

8.1.1 Gas cutting shall be done by one experienced in this work and under the continual supervision, as provided in 9.1.

8.2 Gas cutting on any member while it is carrying stress is prohibited (except for detail cutting to correct minor fabricating errors where the removal of metal resulting from such detail cutting would leave unimpaired the required strength of the members to be cut).

8.2.1 Any field cutting of structural members to provide openings or to remove portions of flanges shall not be done, unless provided for in the design.

8.3 Gas cut edges shall be smooth and regular in contour.

8.4 Gas cutting may be used in the preparation of base metal parts for welding provided the edges are thoroughly cleaned after cutting so as to expose clean steel.

8.5 Gas cutting to replace the milling of surfaces is prohibited.

8.6 Gas cutting of holes in a member designed without provision therefor is prohibited.

8.7 The radii of re-entrant gas cut fillets shall be as large as possible and at least one inch. To determine the net area of members so cut, one-eighth inch shall be deducted from the gas cut edges.

le 9. Supervision and Inspection.

9.1 Any welding to be done on a structure or any part thereof shall be performed under the supervision of a representative of a standard testing agency or an inspecting agency responsible to the owner or licensed architect or licensed engineer. Such agency shall be acceptable to the Superintendent.

9.2 The agency as provided for in 9.1 shall take adequate means to assure that the preparing, gas cutting, assembling and welding of the joints of the structure conform to the design and that the resulting structure is free from deficiencies and injurious defects. He shall keep and submit daily to the licensed architect or licensed professional engineer responsible for the work adequate records of the progress of the work, of difficulties experienced, and of his decision of acceptance and rejection. His records shall allocate a definite and personal responsibility for his acceptance of every weld as to size, location, type of filler metal used and quality of workmanship, and shall evidence that no weld called for in the design has been omitted. He shall require that each welder stamp his identification symbol on his work, and the inspector after inspecting each weld shall do likewise.

9.2.1 He shall inspect for defects and irregularities, plate cracks adjacent to or behind welds crater cracks or cracks in the weld metal.

9.2.2 He shall gauge all welds for deficiency of throat or other critical cross-section.

9.2.3 He shall carefully observe and reject undercutting, overlap or lack of fusion at edges of weld, lack of penetration, or porosity, location of craters, size and shape of bead, and order occasional chipping to determine penetration and correct all or any irregularities of workmanship contrary to the design.

3 The contractor who is to do welding shall submit to the Superintendent a statement that the work will be done in accordance with these rules and the Administrative Code and shall include in such statement, the detailed procedure he proposes to follow, which shall include the following:

That each welder or group of welders shall be under the continual supervision of an experienced foreman.

That only welders qualified under these rules be employed. Each welder shall exhibit, when required, his Certificate of Qualification.

That each welder shall be provided with proper gauges to check his work.

That the foreman shall be able to read blueprints and shall lay out and allocate the work each welder is to perform and he shall carefully observe the burn-off of the electrode; the fusion, and penetration of crater; the formation of the bead; and the sound of the arc.

That only the base metal and filler metal conforming to the job specifications and these rules be used.

That the welding equipment furnished shall have proper characteristics to allow good work.

That whenever deemed necessary by the Superintendent, such tests of the finished welds, shall be made as required by him.

Rule 10. Workmanship on Welded Structures.

10.1 The arrangement of the joints to be welded shall be such as to enable the operator to have an unobstructed view of the surfaces to be welded at all times during the welding operation.

10.2 Welds found deficient in dimensions, but not in quality may be enlarged by additional welding. Where a deficient weld renders the weld inaccessible or has caused new conditions which would make reinforcement dangerous or ineffectual, the weld shall be removed and original conditions restored or in lieu thereof a revised design, correcting this condition shall be submitted to the superintendent. Any weld found deficient in quality, size, or made contrary to the requirements of these rules shall be removed by chipping or melting and shall be remade. The weld metal shall be removed throughout its depth to clean base metal. A cracked weld shall be removed throughout its entire length.

The cutting or chipping of a weld shall not extend into the base metal. In removing welds, care shall be taken not to burn or otherwise injure the base metal and after melting the exposed base metal shall be cleaned by chipping and wire brushing.

10.3 TACK-WELDS. In making tack-welds, the same precautions should be observed as when starting welds. Where a designed weld will later be made over the tack-weld, the tack-weld shall be made with the same care as required for designed welds.

Whenever tack-welds are located where a designed weld will later be made, they shall be made according to the foregoing requirements. When encountered in the final welding operation, they shall be thoroughly fused in with the final weld. Tack-weld should be thickest at the center and should taper at both ends for convenience in carrying the regular weld over the tack-weld (see Fig. 19).

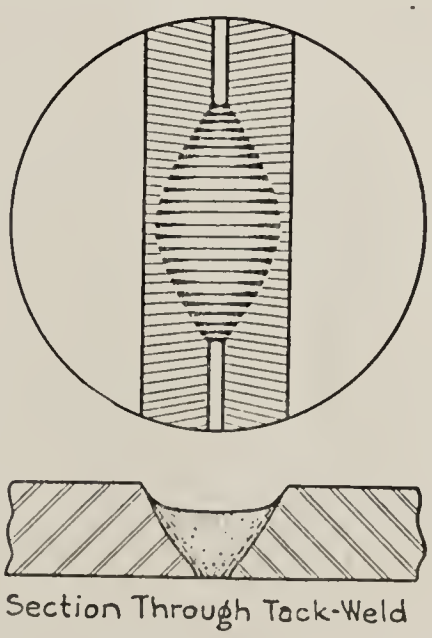


FIG. 19

10.4 Surfaces to be welded shall be free from mill scale, rust, paint or other foreign matter. A thin coat of

linseed oil or its equivalent over the surfaces to be welded need not be removed. These provisions shall apply to new structures and where new steel is to be welded to steel in any existing structure.

Structural steel shall not be painted on any areas where shop or field welding is to be performed, except that a coat of linseed oil without pigment may be used for temporary protection. However, structural members which have been painted, may be welded, provided that the paint is completely removed from the areas to be welded. Parts which are welded in the shop, to be erected by bolts or rivets, shall receive the usual painting if any is required after the shop welding is finished. Parts to be field welded shall receive a coat of linseed oil after shop work is completed, and after erection and field welding, they shall be given two coats of acceptable metal protection if painting is required. C26-522.0 of the Administrative Code (8.6.2.10).

10.5 Where rivets are under load there shall be no welding at the connections between structural members so riveted unless precautions are taken to prevent loss of tension of rivet in a manner approved by the superintendent. See 3.11.5.

10.6 In assembling and during yelding, the component parts of a built up member shall be held by sufficient clamps, or other adequate means shall be employed for temporarily fastening the member together and bracing the framework until the joint are welded. This shall consist of erection bolts o positive devices imparting sufficient strength an stiffness to resist all temporary weights and latera forces, including wind.

For all welded structures, erection bolts, o equivalent means shall be employed for temporaril supporting the members, and existing loads, an for insuring proper alignment.

The temporary support of girders carrying col umns or other heavy loads shall be made rigid b such means as shall be designed by the license architect or licensed professional engineer in charg and approved by the Superintendent.

In tier building erection, members shall not b erected more than two tiers, or more than one-col umn length above any column connections yet un welded.

Rule 11. Metal Chimneys and Tanks.

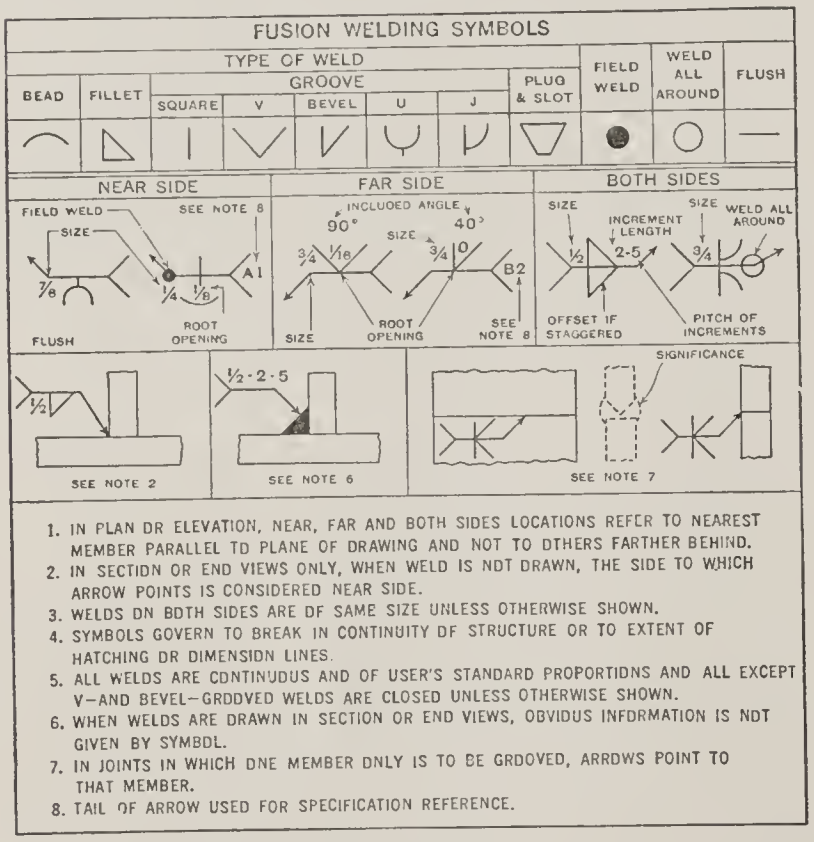
Metal Chimneys and Tanks and all materials en tering into their construction, when welded, sha conform to these Rules.

APPENDIX.

The following is not to be considered as part of the Rules for Fusion Welding and Gas Cutting but is printed for general information only:

I. Weld Symbols.

To provide for uniformity when plans are filed with the superintendent symbols for fusion welding and a method of showing them on drawing shall be as shown in figure 1.



Note: All dimensions in inches.

FIG. 1

II. Sizes, Chemical Composition and Tests of Filler Metal.

Standard sizes of filler metal are as follows: 1/16, 3/3 1/8, 5/32, 3/16, 7/32, 1/4, 5/16 and 3/8 in. in diameter. I the case of coated or covered filler metal, the standard siz refer to the diameter of the core wire.

Table 1.—Tensile Requirements for Deposited Metal

Grade	Base Metal	Treatment of Welded Specimen *a*	All-Weld Tensio Test: Tensile Strength, min., lb. per sq. in.	All-Weld Tensio Test: Elonga tion in in., mi per ce
No. 2..	Firebox quality steel plate, tensile strength 55,000 lb. per sq. in., min.; or Steel for bridges, tensile strength 60,000 lb. per sq. in., min., with carbon not over 0.25 per cent and manganese not over 1.00 per cent., or equivalent steels.	stress-relieved	80 000	20*b*
		non-stress-relieved	80 000	15*b*
No. 4..	same as for Grade No. 2	stress-relieved	75 000	20*b*
		non-stress-relieved	75 000	15*b*
No. 10.	same as for Grade No. 2	stress-relieved	60 000	25
		non-stress-relieved	60 000	20
No. 15.	same as for Grade No. 2	stress-relieved	60 000	20
		non-stress-relieved	60 000	17
No. 20.	same as for Grade No. 2	stress-relieved	52 000	10
		non-stress-relieved	55 000	7
No. 30.	same as for Grade No. 2	stress-relieved	45 000	7
		non-stress-relieved	47 000	5
No. 40.	same as for Grade No. 2	stress-relieved	45 000	5
		non-stress-relieved	47 000	3

a Stress-relieving where called for in these specifications is for the purp of developing the fundamental properties of the weld metal unaltered locked-up stress. Values obtained from stress-relieved welded specim are about 5 per cent lower in tensile strength and 10 to 20 per cent highe ductility than those of non-stress-relieved specimens. The fact that a fi

metal test requires stress-relief signifies only that it must develop the strength required regardless of stress-relief, and not that stress-relief must always be used in actual work. Stress-relieving shall be within the range of 11 00 to 1200 F. for 1 hr. per 1 in. of thickness. Gas-welded specimens may be heat-treated at higher temperatures than the temperature specified above for stress-relief.

b It is immaterial how these high physical properties are obtained, that is, whether by carbon-steel filler metal with manganese and silicon contents or by the use of some other alloying elements, but the total amount of such other elements shall be less than 4 per cent.

CHEMICAL COMPOSITION.

The filler metal shall be capable of depositing metal conforming to the following requirements as to chemical composition:

Phosphorus, max., per cent	0.04
Sulfur, max., per cent	0.04

CHEMICAL ANALYSIS.

For arc-welding electrodes, the sample for analysis shall be prepared as follows: A specimen of standard base metal (see Table 1 below) of sufficient size, shall be prepared, and a pad of five superimposed layers of arc metal deposited thereon. The fifth or top layer shall be ground or machined away and discarded. The fourth layer shall be carefully milled off and used for the analysis specified.

For gas-welding rods, the sample for analysis may be prepared as described in preceding paragraph, except that three layers shall be considered sufficient and the top layer used for the analysis, or analysis may be made of the welding rod. In the latter case, ten rods shall be selected at random from the lot, and milled in such manner as to represent the entire cross-section.

TEST SPECIMENS.

ALL WELD METAL TENSION TESTS. The deposited metal shall conform to the minimum tensile properties specified in Table 1.

SPECIMENS (Test).

From each lot of each size of filler metal, a sufficient number of electrodes or welding rods shall be selected at random and a deposited metal specimen prepared. The specimen shall be prepared in accordance with its proposed use.

For 1/16, 3/32 and 1/8 in. filler metal, a plate 3/8 in. in thickness shall be prepared as illustrated in Fig. 5 and the sub-size all-weld tension specimen prepared as shown.

For 5/32 in. and larger sizes of filler metal, a plate 3/4 in. in thickness shall be prepared as illustrated in Fig. 6 and the tension specimen prepared as shown.

Test plates shall be so supported that warping due to welding shall not throw the finished test plate out of line by an angle of over 5 deg. If plates are warped, they shall be straightened cold before being stress-relieved where required.

SPECIAL TESTS. The Superintendent or his representative may require such additional standard tests as will properly develop the strength of the filler metal.

RETESTS. If any tension test specimen fails, additional test plates shall be prepared at the direction of the inspector.

ELECTRODES FOR MANUAL WELDING. In the case of coated or covered electrodes for manual welding, about 1 in. of the electrode shall be bare or free from coating at the one end for making contact with the holder. The arc end shall be sufficienty bare to permit easy striking of the arc, but the length of the bare portion of the arc end, measured from the end to the point where the full cross-section of the coating obtains, shall not exceed one nominal diameter.

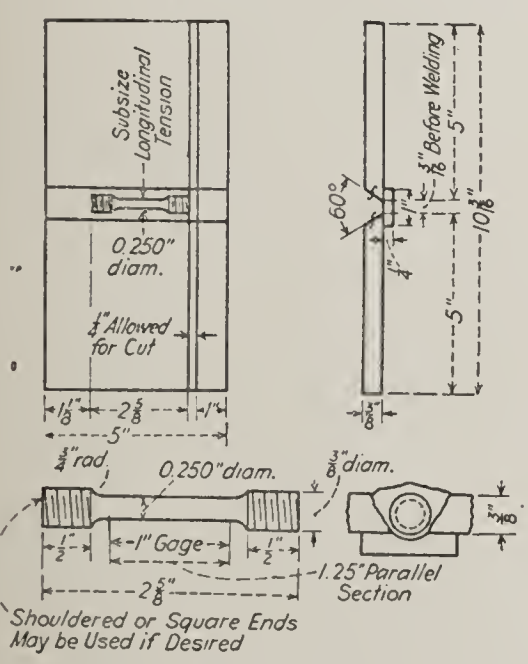
PREPARATION OF FILLER METAL.

Uncoated filler metal and the core of coated or covered filler metal shall be of uniform quality free from injurious segregation, oxides, pipe, seams or other irregularities.

On coated or covered filler metal, the coatings and coverings shall be such that they are not readily damaged by ordinary handling and shall be of commercially uniform thickness and shall present a workmanlike appearance. Coatings and coverings shall be free from injurious scabs, blisters, abnormal pockmarks, bruises or other surface defects.

The surface of gas-welding rods and bare electrodes shall be smooth and free from harmful scale, oil, or grease and shall be plain or copper finished, as specified.

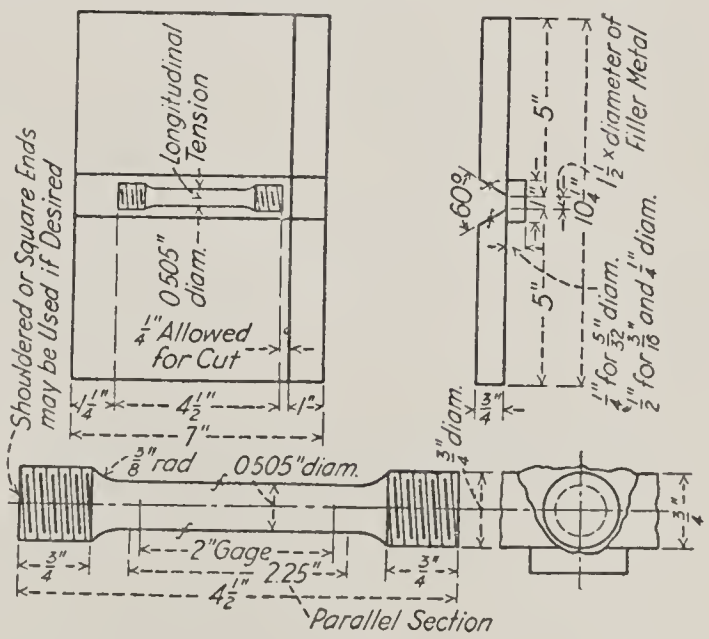
Cross-sectional dimensions shall not vary from that specified by more than 3 per cent.



NOTE 1.—The above plate shall be used for ⅛-in. filler metal.
NOTE 2.—Welds shall be deposited in either layers or beads.
NOTE 3.—Welds in vertical position shall be deposited upwards.
NOTE 4.—Electric welds shall cool to at least 100 F. between the deposition of each layer or bead.

Test Plate for ⅛-in. Diameter Filler Metal and Method of Machining Specimen.

FIG. 5



NOTE 1.—The above plate shall be used for filler metal 5/32-in. in diameter and larger.
NOTE 2.—Welds shall be deposited in either layers or beads.
NOTE 3.—Welds in vertical position shall be deposited upwards.
NOTE 4.—Electric welds shall cool to at least 100 F. between the deposition of each layer or bead.

Test Plate for Filler Metal 5/32-in. in Diameter and Larger and Method of Machining Specimen.

FIG. 6

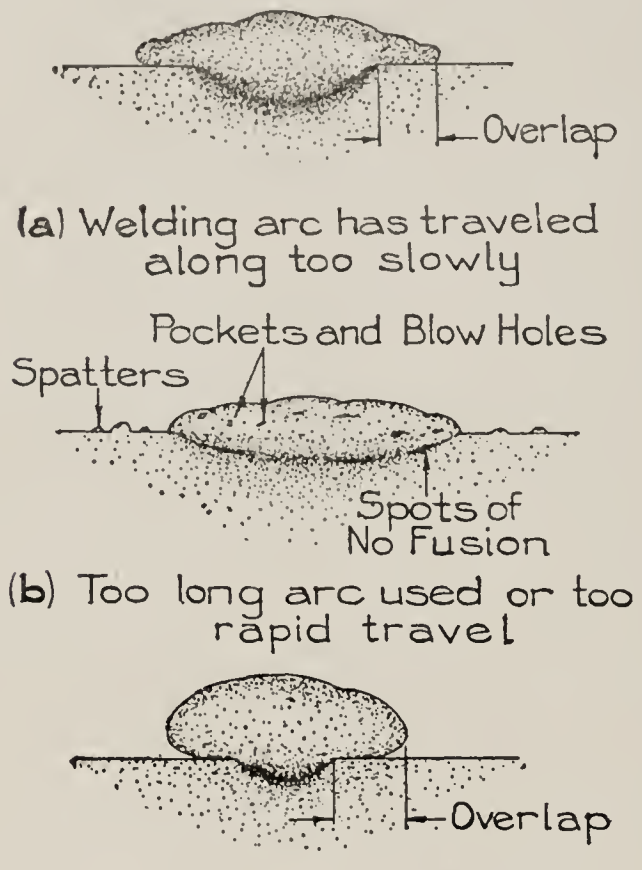
REQUIREMENTS FOR ARC WELDS

III. Bare and Lightly Coated Electrodes.

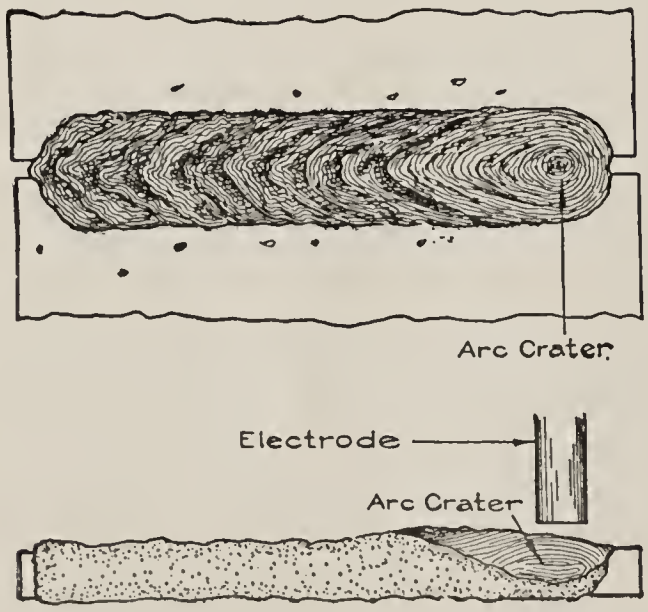
WELDING ARC. Unsound welds, insufficient penetration and overlap in general, resulting from improper arc

length and amount of current and incorrect rate of travel, are prohibited. The characteristics of these different conditions are illustrated in Figs. 7 and 8.

FIG. 7



DEPTH OF CRATER. The depth of arc crater should not be less than 1/16 in. (see Fig. 8).



Longitudinal section of deposited metal showing penetration and arc crater.

FIG. 8

LENGTH OF ARC. In manual metal arc-welding, proper fusion, penetration and soundness of weld shall be secured by using as short an arc as can be maintained for each form of weld. A typical example of proper arc length for given thickness of base metal and for a ⅜-in. fillet weld is shown in Fig. 9. When properly manipulated, the arc will throw a steady shower of small sparks, and (in the case of bare electrodes) will be accompanied by a regular, crackling, snappy sound with fractional intervals less than

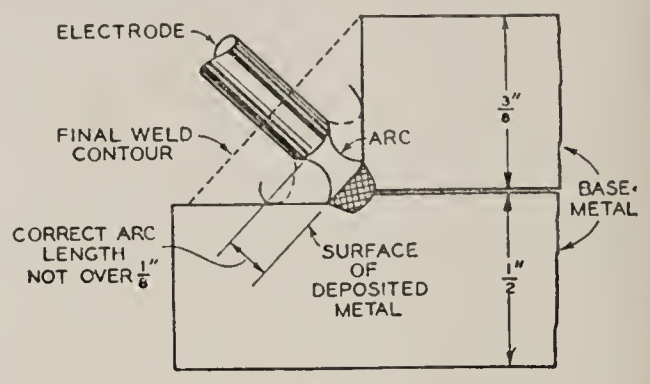


FIG. 9

one-half second betwcen explosions. With a given current, the length of arc depends upon the arc voltage which should not exceed 20 volts.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metals to be joined. Sizes and current values shall conform to those given in Table 2. In special cases other approved sizes and currents may be specified, when permitted by the Superintendent. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding machine panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.

Table 2—Current Values and Sizes of Bare and Lightly Coated Electrodes for Various Sizes of Welds

Size of Weld In.	Minimum Number of Layers	Electrodes and Current Values
¼	1	In all these cases use either 5/32-in. electrodes with 160-180 amps., or 3/16-in. electrodes with 180-225 amps.
⅜	1	
½	2	
⅝	2	
¾	3	

MANUAL OPERATION OF ARC. The arc shall be started by drawing a long arc momentarily to preheat base metal before deposition of filler material to insure thorough fusion at start of weld, or it shall be started moving a short arc rapidly back and forward over a limited area at start.

In case of a long weld where more than one electrode is used, the arc shall be re-started about ¼ in. to ⅜ in. ahead of the crater, going back over the crater to properly fill it and keep a uniform contour, thus insuring proper preheating as in start of weld.

On single layer welds the arc shall progress with either a straight forward motion or an oscillatory motion depending on size of joint to be filled to bring it up to proper contour and insure proper fusion in root zone.

In multi-layer welding the first layer shall be deposited by moving the arc in a straight forward motion to secure proper fusion in the root zone, while subsequent layers shall be deposited with an oscillatory motion to build up the weld to the proper contour. The first layer shall be

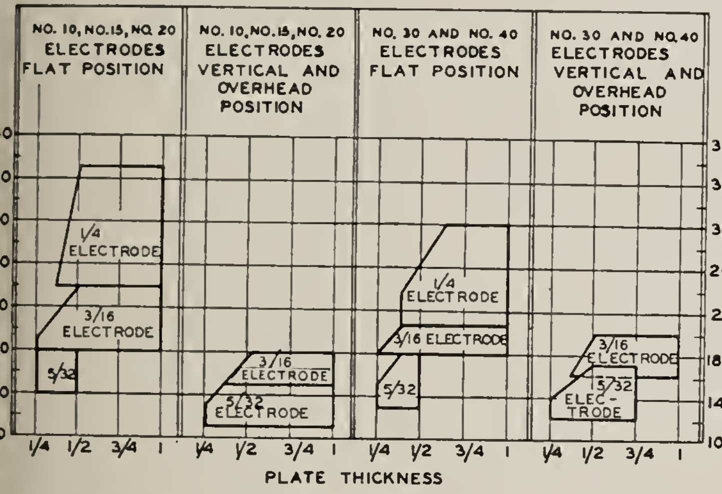
nade with an electrode small enough to get thorough pene-ration at the root zone.

Each layer shall be thoroughly cleaned by brushing or hipping to remove all excess scale and oxides before de-ositing succeeding layers. The surface of each layer shall e reasonably smooth and uniform in contour.

V. Heavily Coated Electrodes.

WELDING PROCEDURE. In making welds with heav-y coated electrodes the procedure recommended by the ianufacturer of the electrodes being used shall be fol-owed, but if such instructions are not available, the pro-edures given below shall be followed.

CURRENT. The amount of current shall be such as ill best suit the arrangement and the thickness of the base ıetal to be joined. The current ranges in Fig. 10 are given s a guide in selecting the best operating conditions for arious electrode sizes and plate thicknesses for flat, verti-al and overhead welding. In special cases, other approved zes and amounts of current may be specified. The cur-ent and voltage used shall be measured by suitable meters, ther mounted on the arc welding panel, or portable, for se at the point of welding. Allowance shall be made for ne drop where the meters are not adjacent to the point f welding.



urrent Values and Sizes of Heavily Coated Electrodes r Various Plate Thicknesses for Manually Welded Operations.

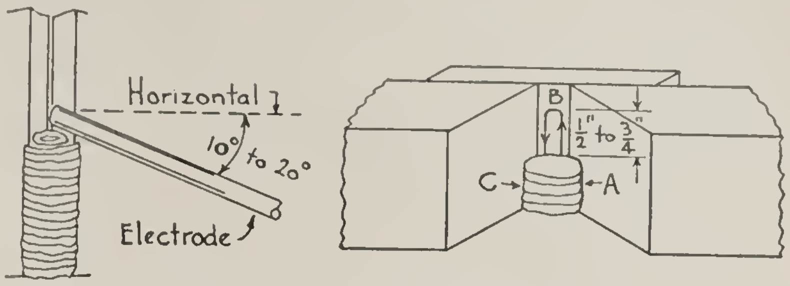
FIG. 10

WELDING PROCEDURE FOR FLAT BUTT ELDS. In making butt welds on bevel joints, weave the ectrode from one side of the joint to the other. This eaving may not be necessary on the first pass. These cillations shall be regulated so that the weld metal fuses o the side walls without directing the arc against the ılls. This shall be accomplished by pointing the electrode wnward and allowing the outer edges of the arc to play htly on the walls. A stay shall be made long enough the turns to insure complete fusion into the side walls.

The travel speed shall be regulated to limit the thickness the layer per pass to not more than ⅛ in.

WELDING PROCEDURE FOR VERTICAL AND VERHEAD BUTT WELDS. One-eighth (⅛)-in. and 32-in. diameter electrodes should be used in the vertical d overhead welding positions, but the 3/16-in. diameter ay be used in vertical welding when necessary.

Vertical welds shall be made by welding upward. The st pass should be started by oscillating or weaving the ctrode from side to side (Fig. 11*A*) to produce a weld tal bridge across the "V." Then the arc is to be moved idly upward for ½ to ¾ in. along the bottom of the " (Fig. 11*B*), drawing a long arc (about 30 volts), and n back down to the crater again (Fig. 11*C*), shortening arc to its previous length. The movement up and down uld require about 1/3 sec. and should be easily accom-shed with a bending action of the wrist. Its purpose is to allow the molten metal in the pool to solidify and to preheat the plates ahead of the crater.

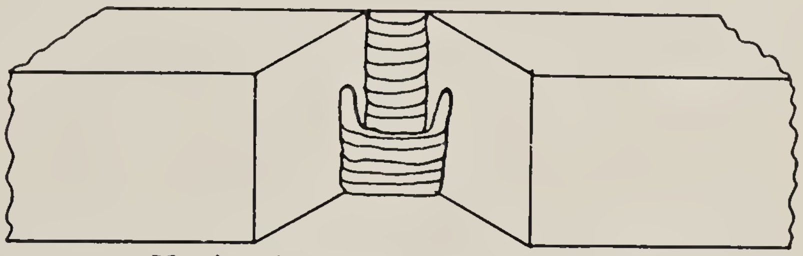


Vertical Butt Weld—First Layer.

FIG. 11

The above cycle of operation shall be repeated all the way up, each time depositing a thin layer of metal on top of the preceding layer. The travel speed on the first pass shall be regulated to limit the deposit to the equivalent of about a ¼-in. fillet weld. On succeeding passes, the thick-ness shall not exceed ⅛ or 5/32 in. The successive passes shall be made by this up and down technique or by suc-cessive horizontal weaving.

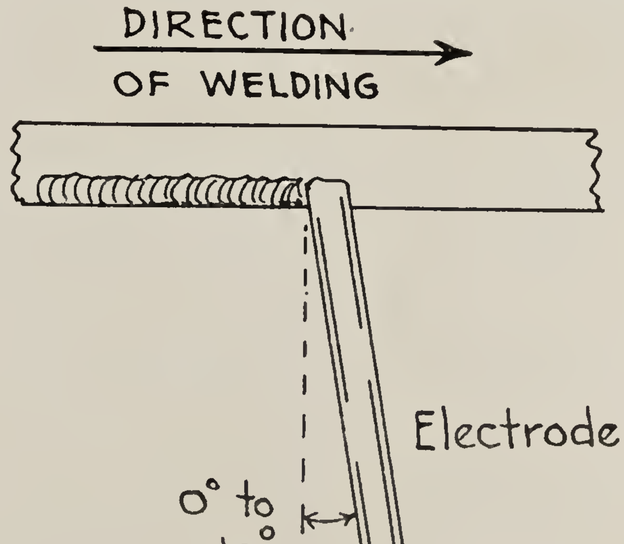
If, in making the second and succeeding passes, a pro-cedure similar to that of the first pass shall be used, the motion (Fig. 12) to be across the pool or shelf, then up-ward and back at one side of the "V," then across the shelf to the other side, and up and back to the shelf again. The up and down motions shall be done rapidly, lengthening the arc while doing so. If the procedure of weaving straight across is used, it shall be similar to the above except that the up and down motion at each end of the shelf is eliminated.



Vertical Butt Weld—Second Layer.

FIG. 12

For overhead butt welds, the procedure shall be the same as that previously described for vertical welds. The elec-trode shall be pointed upward and sometimes leaning slightly forward, as shown in Fig. 13. A shelf on which to work shall be deposited at the start and the cycles of operation shall be the same as those for vertical welding.



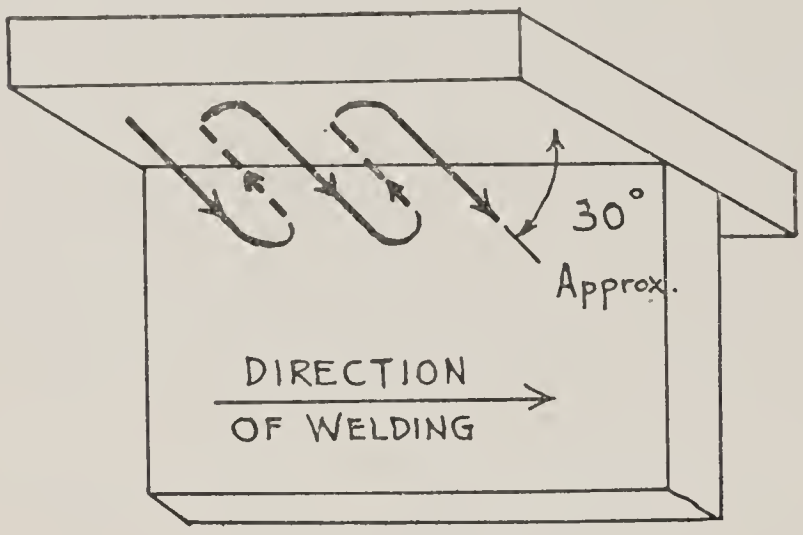
Overhead Butt Weld.

FIG. 13

WELDING PROCEDURE FOR FLAT AND OVERHEAD FILLET WELDS. For light fillet welds (¼ in. or less) and the first pass of multiple pass welds, the electrode shall be moved only in the direction of travel. The second and successive passes or heavy single-pass welds (⅜ in. for example) shall be made by weaving the electrode in a plane making an angle of about 30 degrees with the underside of the plate, as shown in Fig. 14. The solid line represents actual welding. The dotted line represents an upward skip done in about 1/3 sec.

WELDING PROCEDURE FOR VERTICAL FILLET WELDS. Vertical fillet welds shall be made in the same manner as vertical butt welds.

WELDING PROCEDURE FOR MULTI-LAYER FILLET WELDS IN ANY POSITION. In certain cases fillet welds in sizes up to ⅜ in. may be made in a single pass by holding the electrode at a suitable angle and moving it along at a uniform rate. Where the fillet weld

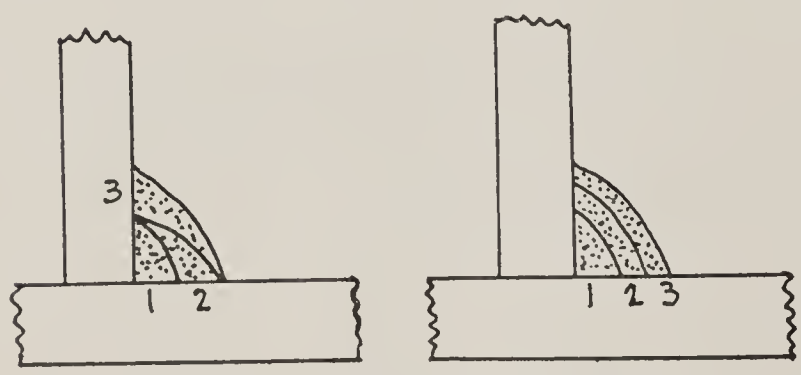


Overhead Fillet Weld.

FIG. 14

requires more than one layer, the second and subsequent layers shall be deposited as a complete spread over the previously deposited metal or in two or more parts as shown in Fig. 15.

ALTERNATE METHODS OF MAKING MULTI-LAYER WELDS



Flat, Vertical, or Overhead Fillet Weld.

FIG. 15

V. Requirements for Gas Welds.

WELDING FLAME. Torches may be either single or multiple flame. The adjustment of the welding flame shall be the same as used in the qualification tests.

The size of the inner cone or inner cones shall be regulated for varying thicknesses of base metal so that the proper amount of heat and flame condition is obtained to properly perform the welding operation. The criterion for welding flame regulation is that the inner cone or inner cones should be of a size and character which produce sufficient heat to maintain the welding puddle in a quiet molten state, and to cause fusion of the welding puddle with the base metal.

The orifice of the welding tip shall be kept clean at all times during the welding operation so that the regular and symmetrical inner cone or cones can be maintained.

WELDING ROD. The size of the welding rod to be used shall be such that the rod shall be of sufficient diameter to maintain the welding puddle in a quiet molten state.

STARTING WELDS. In starting a weld, the base metal shall be heated to a dull red for a distance of from 1 to 2 in. along the joint so that the point of welding can be brought to the fusion temperature evenly before welding rod is added. If the weld is stopped for any reason, the same precautions should be observed upon restarting.

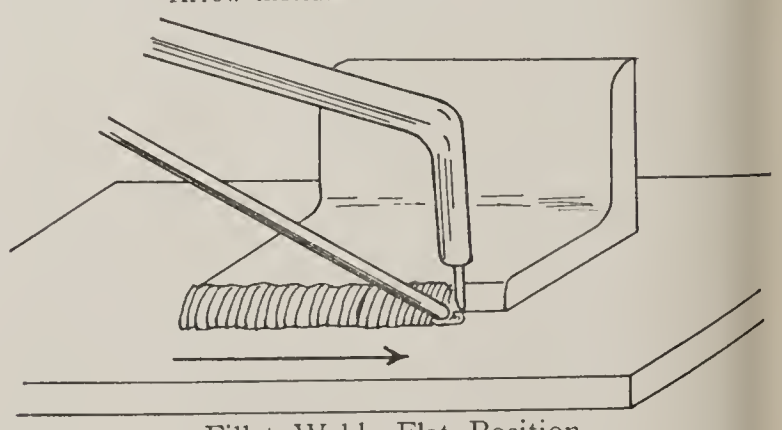
WELDING TECHNIQUE—GENERAL. The welding torch and welding rod shall be manipulated so as to maintain a definite puddle of molten weld metal without overheating either the base metal or deposited metal. The end of the welding rod shall be kept within the limits of the puddle at all times, particular care being taken not to disturb the rear edge of the puddle which might cause slag on the surface to become entrapped in the weld metal. In manipulating the flame, the tip of the inner cone shall preferably not touch either base metal, puddle or welding rod.

Either backhand or forehand technique may be employed. The various positions of welding rod and flame with respect to each other in backhand and forehand techniques are illustrated in Figs. 16 and 17.

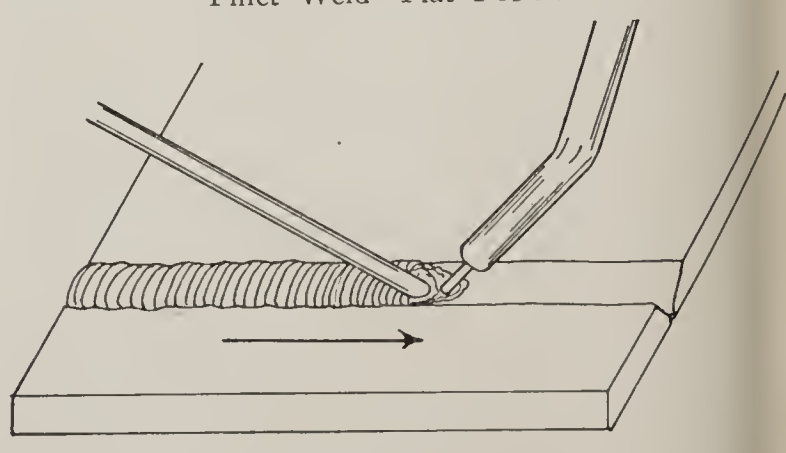
In carrying the puddle forward, the base metal surfaces just in advance of the puddle shall be prepared for fusion with the puddle by melting sufficient surface metal to remove oxides and expose sound base metal. In some cases this depth of melting may be 1/32 in. or less. Manipulation of the rod and flame in controlling the puddle shall

FIG. 16

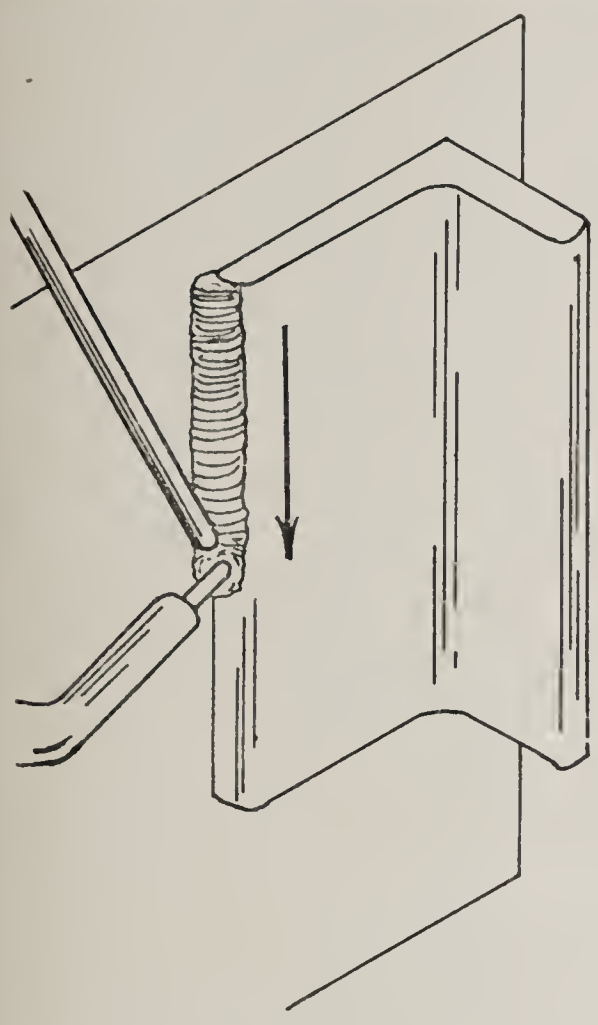
Positions of Rod and Flame in Backhand Technique.
Arrow indicates direction of welding.



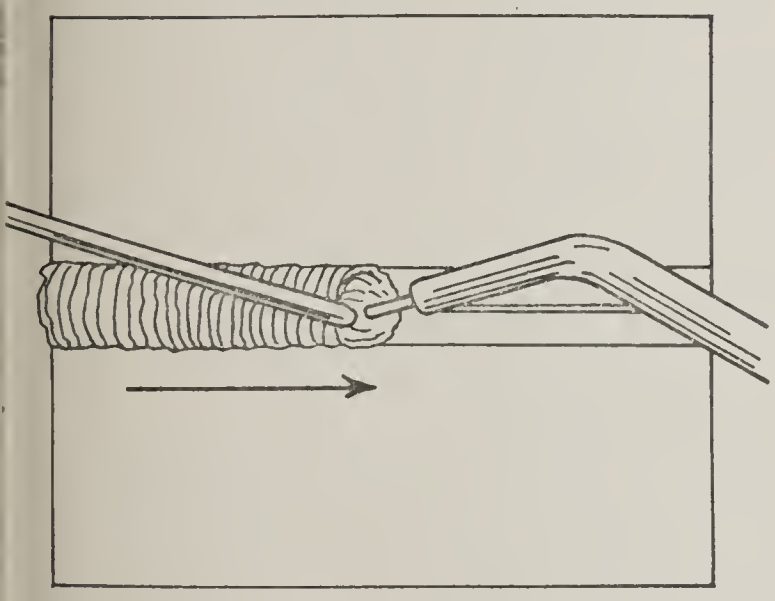
Fillet Weld—Flat Position.



Butt Weld—Flat Position.



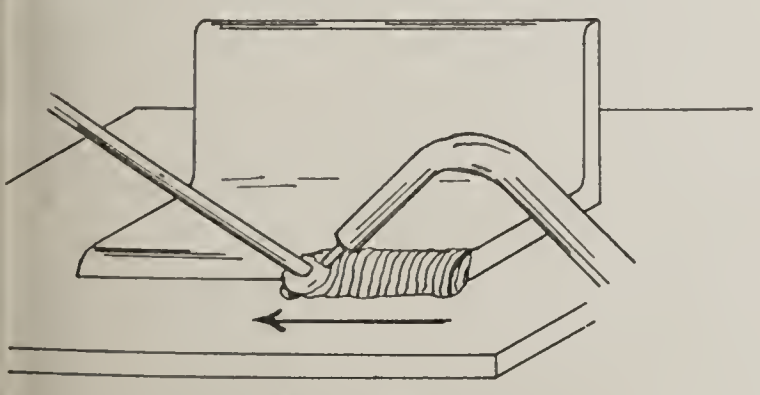
Fillet or Butt Weld—Vertical Position.



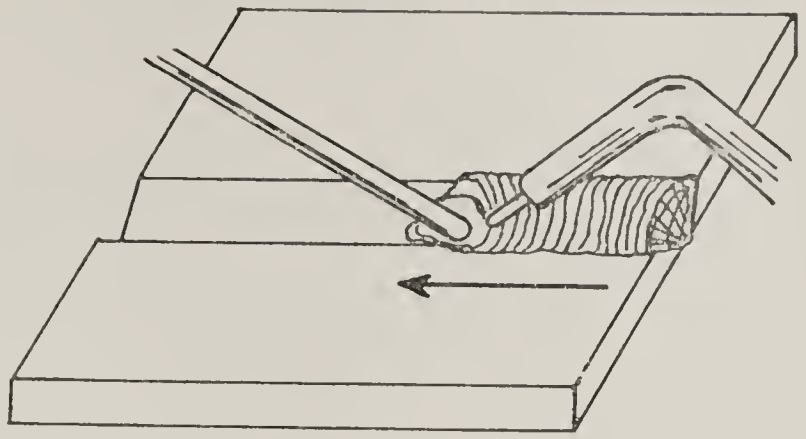
Fillet or Butt Weld—Horizontal Position.

FIG. 17

Positions of Rod and Flame in Forehand Technique.



Fillet Weld—Flat Position.



Butt Weld—Flat Position.

be such that at no time is molten metal from the puddle permitted to flow ahead until this melting has occurred.

For welding in positions other than flat, it shall be permissible to carry a fairly shallow puddle for convenience in controlling it. When using backhand technique, this shall be done by distributing the molten metal in the puddle with the end of the welding rod, providing the puddle is kept sufficiently molten so that surface oxides do not become entrapped in the weld.

FILLET WELDS. When fillet welding in the flat position, there is a tendency for the top plate to melt before the bottom plate. This shall be avoided by pointing the flame more against the lower plate as shown in Figs. 16 and 17. It is essential that fusion be secured at the inside corner or root of the joint, the welding rod and inner cone shall be manipulated so this result will be secured. If desired, the welding rod may be stirred lightly, well within the bounds of the puddle, to maintain a shallow puddle and distribute the molten metal so as to obtain readily welds of proper size and shape.

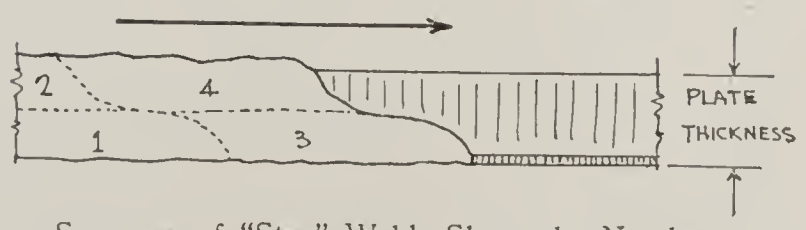
BUTT WELDS. When butt welding in the flat position, manipulation of rod and inner cone shall be such that the bottom of the vee is fused together at the same time but in advance of the upper walls of the vee so that the weight of the puddle does not cause molten metal to sag inside the joint. Where spacing of the joint exceeds 1/6 in., it is allowable to weld the bottom of the vee together in a separate operation, ½ in. to 1 in. at one time ahead of the principal point of welding.

MULTI-LAYER WELDING. Multiple layer welding may be used in place of single layer welding for all positions of welding and thicknesses of metal, but especially for welds of larger size. The criterion shall be the size of puddle that can most effectively be carried by the welder for the particular position of welding. If the completion of a weld in one layer requires a puddle larger than indicated by this criterion, two or more layers shall be made.

The layers of the weld may be made continuously for the full length, or the welding may be done by the "step" method illustrated in Fig. 18.

FIG. 18

"Step" Method of Multi-Layer Welding.

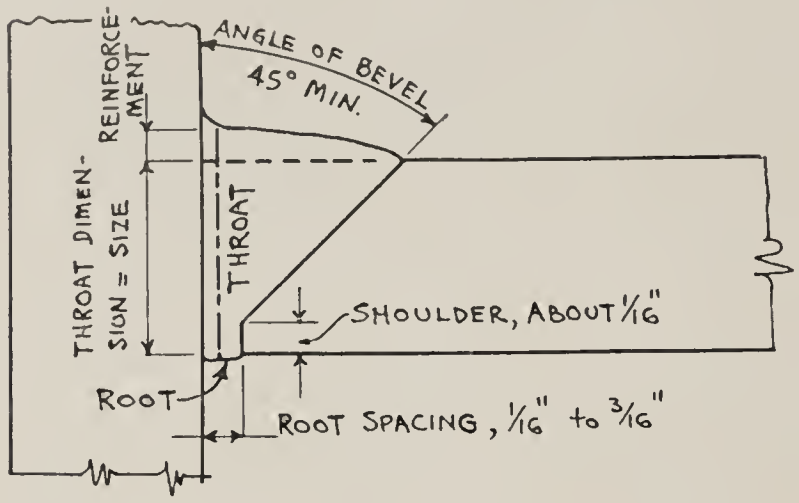


Sequence of "Step" Welds Shown by Numbers.

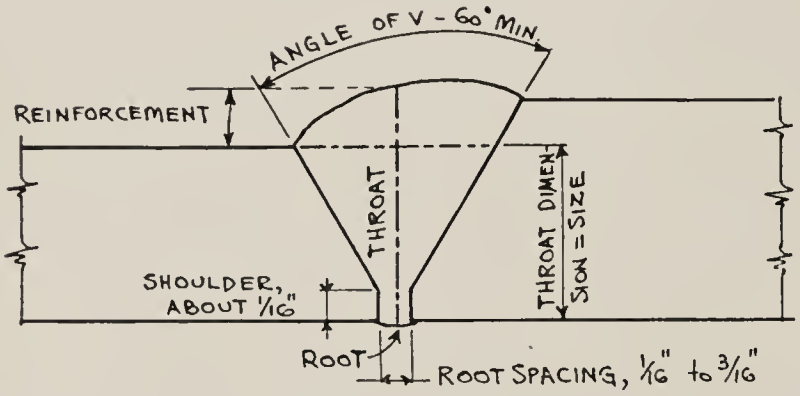
VI. Illustrations of Butt and Fillet Welds.

RULES

FIG. 20

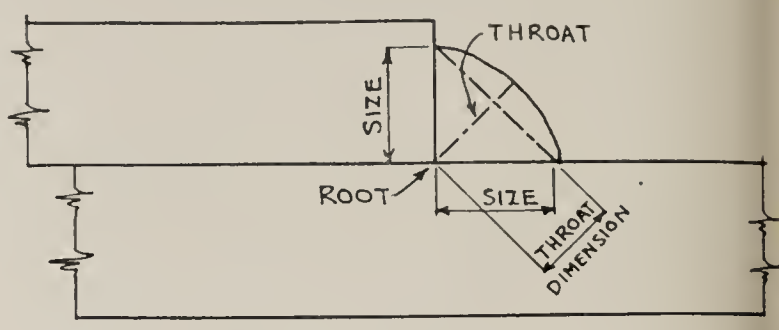


Single Bevel Butt Weld.

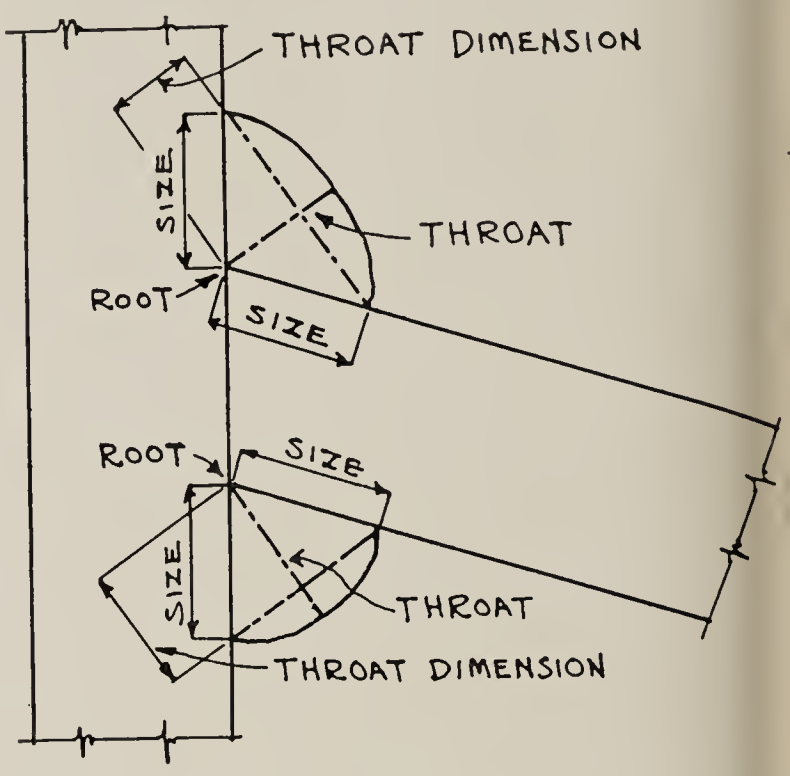


Single-V Butt Weld.

FIG. 21



Right Fillet Weld.



Oblique Fillet Weld.

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Name	*Calendar No.*
Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Croker National Fire Prev. Eng. Co.	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

Name	*Calendar No.*
New York Brass Foundry Co. (Stillbech)	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

APPROVED FUEL OIL FILL PIPE TERMINALS

Name	*Calendar No.*
Fee and Mason	10-36-SA
Flagg	345-35-SA
J. H. N.	292-35-SA
Newbury	223-35-SA
Preferred	213-35-SA
Rhode Island	204-35-SA
Seal-O-Strain	48-35-SA
Sealtite	231-35-SA
Simplex	214-35-SA
Weco	78-38-SA

REVISED CERTIFICATE OF OCCUPANCY FORM APPROVED
BY THE BOARD OF STANDARDS AND APPEALS, JULY 12, 1938.

DEPARTMENT OF HOUSING AND BUILDINGS
BOROUGH OF , CITY OF NEW YORK

No.....

Date.....

CERTIFICATE OF OCCUPANCY

(Standard form adopted by the Board of Standards and Appeals and issued pursuant to Section 646 of the New York City Charter, and Sections C.26-181.0 to C.26-187.0 inclusive, Administrative Code (2.1.3.1 to 2.1.3.7 B.C.)

This certificate supersedes C.O. #

To the owner or owners of the building or premises:—

THIS CERTIFIES that the new—altered—existing—building—premises located at

Block , Lot conforms substantially to the approved plans and specifications, and to the requirements of the building code and all other laws and ordinances, and of the rules and regulations of the Board of Standards and Appeals, applicable to a building of its class and kind at the time the permit was issued; and CERTIFIES FURTHER that, any provisions of section 646F of the New York City Charter have been complied with as certified by a report of the Fire Commissioner to the Borough Superintendent.

N.B. or Alt. No. . Construction classification .

Occupancy classification . Height stories, feet.

Date of completion . Located in Use District

Area . Height . Zone at time of issuance of permit

THIS CERTIFICATE IS ISSUED SUBJECT TO THE LIMITATIONS HEREINAFTER SPECIFIED AND TO THE FOLLOWNG RESOLUTIONS OF THE BOARD OF STANDARDS AND APPEALS:

(*Calendar numbers to be inserted here*)

PERMISSIBLE USE AND OCCUPANCY

STORY	LIVE LOADS LBS. PER SQ. FT.	PERSONS ACCOMMODATED			USE
		MALE	FEMALE	TOTAL	

.....
Borough Superintendent

NO CHANGES OF USE OR OCCUPANCY NOT CONSISTENT WITH THIS CERTIFICATE SHALL BE MADE UNLESS FIRST APPROVED BY THE BOROUGH SUPERINTENDENT.

Unless an approval for the same has been obtained from the Borough Superintendent, no change or rearrangement in the structural parts of the building, or affecting the light and ventilation of any part thereof, or in the exit facilities, shall be made; no enlargement, whether by extending on any side or by increasing in height shall be made; nor shall the building be moved from one location or position to another; nor shall there be any reduction or diminution of the area of the lot or plot on which the building is located.

The building or any part thereof shall not be used for any purpose other than that for which it is certified.

The superimposed, uniformly distributed loads, or concentrated loads producing the same stresses in the construction in any story shall not exceed the live loads specified above; the number of persons of either sex in any story shall not exceed that specified when sex is indicated, nor shall the aggregate number of persons in any story exceed the specified total; and the use to which any story may be put shall be restricted to that fixed by this certificate except as specifically stated.

This certificate does not in any way relieve the owner or owners or any other person or persons in possession or control of the building or any part thereof, from obtaining such other permits, licenses or approvals as may be prescribed by law for the uses or purposes for which the building is designed or intended; nor from obtaining the special certificates required for the use and operation of elevators; nor from the installation of fire alarm systems where required by law; nor from complying with any lawful order for additional fire extinguishing appliances under the discretionary powers of the Fire Commissioner; nor from complying with any lawful order issued with the object of maintaining the building in a safe or lawful condition; nor from complying with any authorized direction to remove encroachments into a public highway or other public place, whether attached to or part of the building or not.

If this certificate is marked "Temporary", it is applicable only to those parts of the building indicated on its face, and certifies to the legal use and occupancy of only such parts of the building; it is subject to all the provisions and conditions applying to a final or permanent certificate; it is not applicable to any building under the jurisdiction of the Housing Division unless it is also approved and endorsed by them, and it must be replaced by a full certificate at the date of expiration.

If this certificate is for an existing building, erected prior to March 14, 1916, it has been duly inspected and it has been found to have been occupied or arranged to be occupied prior to March 14, 1916, as noted on the reverse side, and that on information and belief, since that date there has been no alteration or conversion to a use that changed its classification as defined in the Building Code, or that would necessitate compliance with some special requirement or with the State Labor Law or any other law or ordinance; that there are no notices of violations or orders pending in the Department of Housing and Buildings at this time; that Section 646F of the New York City Charter has been complied with as certified by a report of the Fire Commissioner to the Borough Superintendent, and that, so long as the building is not altered, except by permission of the Borough Superintendent, the existing use and occupancy may be continued.

"§ 646 F. No certificate of occupancy shall be issued for any building, structure, enclosure, place or premises wherein containers for combustibles, chemicals, explosives, inflammables and other dangerous substances, articles, compounds or mixtures are stored, or wherein automatic or other fire alarm systems or fire extinguishing equipment are required by law to be or are installed, until the Fire Commissioner has tested and inspected and has certified his approval in writing of the installation of such containers, systems or equipment to the Superintendent of the borough in which the installation has been made. Such approval shall be recorded on the certificate of occupancy."

Additional copies of this certificate will be furnished to persons having an interest in the building or premises, upon payment of a fee of fifty cents per copy.

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

Published weekly by the Board of Standards and Appeals at its office, Rooms 1000 to 1018, Municipal Building, New York City.

Vol. XXIII | Subscription $2.50 a year | AUGUST 30, 1938 | Single Copies, 5 cents By Mail, 8 cents | No. 35

DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. daily except Saturdays during July and August.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Rules Directory.

Notice of Adjournment.

Oil Burner Rules.

Approved Fuel Oil Pumps.

Approved Burners for Domestic and Commercial Use.

Approved Burners for Industrial Use.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to August 23, 1938

Cal. No. *Department* *Premises Affected*

719-38-SA.....Westinghouse Type SW Interlock for Automatic Elevators, Appliance.

720-38-SA.....Alro Fill Pipe Terminal for Fuel Oil, Appliance.

721-38-A.....F.D.....46 West 21st street, south side, 275 ft. east of Sixth avenue (Block 822, Lot 66), Borough of Manhattan, 13517-L.C.

722-38-A.....H.B.Q.....41-32 to 42-10 220th place, west side, 100 ft. north of 43rd avenue (Block 6318, part of Lot 1), Bayside, Borough of Queens, N.B. 6352-38 to N.B. 6356-38 and N.B. 5875-38.

723-38-A.....H.B.Q.....41-33 to 42-09 220th place, east side, 100 ft. north of 43rd avenue (Block 6319, part of Lot 1), Bayside, Borough of Queens, N.B. 6348-38 to N.B. 6351-38, N.B. 6361-38 and N.B. 6362-38.

724-38-A.....F.D.....1400 Broadway and 111-115 West 38th street, northeast corner and 114-118 West 39th street (Block 814, Lot 19), Borough of Manhattan, 13531-L.C.

725-38-A.....F.D.....38-02 22nd street, southwest corner of 38th avenue (Block 391, Lot 18), Long Island City, Borough of Queens, 74060-L.C. and Decision.

726-38-A.....F.D.....37-16 22nd street, west side, 285 ft. north of 38th avenue (Block 364, Lot 35), Long Island City, Borough of Queens, 74726-L.C. and Decision.

727-38-SA.....Sharpe Paint Sprayers and Equipment, Appliance.

728-38-BZ.....H.B.Bx.....2401 Poplar street, northeas corner of Bronxdale avenu (Block 4062, Lot 27), Bo ough of The Bronx, Alt. 731-3

DESIGNATIONS: H.B.—Department of Housing and Build ings; **H.B.B.**—Department of Housing and Buildings, Brooklyn **H.B.M.**—Department of Housing and Buildings, Manhattan **H.B.Q.**—Department of Housing and Buildings, Queens **H.B.R.**—Department of Housing and Buildings, Richmond **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**- Health Department and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules....Aug.	16, 1938—Vol. 23, No.
Certificate of Occupancy, approved form .....Aug.	23, 1938—Vol. 23, No.
Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No.
Concrete Rules (Hydrated Lime)...Aug.	3, 1937—Vol. 22, No.
Elevator Rules .....Mar.	3, 1936—Vol. 21, No.
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No.
Factory Exit Rules.....May	24, 1938—Vol. 23, No.
Fire Alarm Rules (Interior).....July	12, 1938—Vol. 23, No.
Fire Drill Rules.....Aug.	9, 1938—Vol. 23, No.
Fire Retarding Rules for Garages, etc. .....Aug.	2, 1938—Vol. 23, No.
Fireproof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No.
Frame Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No.
Fusion Welding and Gas Cutting Rules .....Aug.	23, 1938—Vol. 23, No.
Gas Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No.
Hatchway Protection .....June	5, 1928—Vol. 13, No.
Oil Burner Rules.....Aug.	30, 1938—Vol. 23, No.
Paint, Varnish and Lacquer Spraying Rules .....April	26, 1938—Vol. 23, No.
Platform Trucks, Specifications for.Nov.	24, 1936—Vol. 21, No.
Plumbing Rules .....Aug.	3, 1937—Vol. 22, No.
Procedure, Rules of.....Sept.	7, 1937—Vol. 22, No.
Refrigerating Systems, Extract C.O.Aug.	16, 1938—Vol. 23, No.
Smoking in Factories, Rules for....June	28, 1938—Vol. 23, No.
Sprinkler Rules .....June	29, 1937—Vol. 22, No.
Standpipe Fireline Rules.....June	8, 1937—Vol. 22, No.
Structural Alterations, Reporting...June	7, 1932—Vol. 17, No.
Tank Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No.
Tank Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No.
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..Apr.	10, 1923—Vol. 8, No.

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves .....Mar.	5, 1935—Vol. 20, No.
Fireline Hose Valves.....Aug.	23, 1938—Vol. 23, No.
Fuel Oil Burners for Domestic and Commercial Use .....Aug.	30, 1938—Vol. 23, No.
Fuel Oil Fill Pipe Terminals.....Aug.	23, 1938—Vol. 23, No.
Fuel Oil Burners for Industrial Use.Aug.	30, 1938—Vol. 23, No.
Fuel Oil Pumps.....Aug.	30, 1938—Vol. 23, No.
Paint, Varnish and Lacquer Spraying Equipment .....April	26, 1938—Vol. 23, No.
Range Oil Burners and Space Heaters .....Aug.	9, 1938—Vol. 23, No.

ADJOURNMENT

Notice is hereby given that the next regular meeting o the Board of Standards and Appeals will be held on Tue day, September 13, 1938, at 10 a.m.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the board and of the further publication of th calendars in the daily press.

Fourth, That no one is entitled to written notice of th date for the hearing in his case, and that the plea of failur to receive such notice is no excuse for neglect to appear

Fifth, That the business of the board is to dispose of a cases promptly, for the reason that the pendency of a appeal or application ties the hands of the administrativ official in enforcing his order; therefore, no appeal or ap plication will be held in abeyance by reason of failure o the appellant or applicant to file necessary data, or by an other method of delay.

Sixth, That no appeal or application will be accepted fo filing unless, at the time of filing, all papers, plans and da required by law are supplied, as specified on the blan appeal or application forms.

RULES

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.

b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

2.2 APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

2.3 AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

2.4 BURNER: A device designed for the purpose of burning oil.

2.5 COMMERCIAL INSTALLATIONS—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.

2.6 CONTROLS—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.

2.7 DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

2.8 DOMESTIC INSTALLATIONS—Oil burner installations installed in dwellings as defined in these rules.

2.9 DWELLINGS: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

2.10 ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points, 180° (degrees) apart as follows:

2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162″) A.W.G. wire, or pipe not less than one-half inch (½″) in diameter.

2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod, pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2′) below the surface of the earth.

2.11 FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

2.12 FIRE RETARDING MATERIALS:

2.12.1 One-half (½) inch plaster boards, or asbestos boards, or three-eighths (⅜) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

2.12.2 Two thicknesses of one-quarter (¼) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) inch thick.

2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

2.13 GROUND: An electrical conductor having capacity to absorb current.

2.14 INDUSTRIAL INSTALLATIONS: Oil burner installations for industrial purposes.

2.15 OIL: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.

2.16 OIL BURNING EQUIPMENT: Any device including burners, oil burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

2.17 OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

2.20 PERMIT: Shall mean permit for storage of oil.

2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.

2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.

2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.

2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

[a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (Ameri can Society for Testing Materials Method D93 22) and marketed under the following commercia grades:

Range Oil	SP.	Gr.	(A. P. I.)	40–44
No. 1 Fuel Oil	"	"	"	36–40
No. 2 " "	"	"	"	32–36
No. 3 " "	"	"	"	28–32
No. 4 " "	"	"	"	24°+
No. 5 " "	"	"	"	18°+
No. 6 " "	"	"	"	10°+

[b] 3.2 The use of crankcase refuse oil as fuel oil i strictly prohibited.

Rule 4. Burners.

[a] 4.1 Burners, including oil-burning heaters, shall b as approved, provided with suitable safeguard to prevent abnormal discharge of oil.

[b] 4.2 Approval of burners or oil-burning heaters de signed for installation with storage of not mor than six (6) gallons shall include approval o storage containers and limitations of installatio If more than six (6) gallons' storage is desire for such burners or oil-burning heaters, a stor age tank shall be installed as provided for i these rules. Portable containers of not mor than six (6) gallons' capacity may be filled fro such storage tanks by means of an approve hand pump located above the top of the tank.

[c] 4.3 The requirements of these rules shall not appl to the use and installation of portable burner not requiring a connection to a flue where suc burners are of the type commonly used fo household purposes including oil stoves, oil heat ers and oil lamps equipped with a woven wic nor do the requirements of these rules apply t such portable apparatus such as blow torche soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks locate outside of buildings above ground).

[a] 5.1.1 All tanks for the storage of fuel oil sha be built of steel plates made by the ope hearth process and known to the trade a "tank steel." Such plates shall be fre from physical imperfections, such as lami nations, cracks, mill scale, etc. All ste must be new in good condition and fr from rust. The thickness of steel require and the size and spacing of rivets shall b as stated in the table given below.

[b] 5.1.2 All tanks must be welded or riveted an caulked, or riveted and welded. Flang or other pipe connections may be welde All caulking shall be done with round nos tools and without injury to the plate Filler of any kind between plates is pro hibited.

[c] 5.1.3 Thickness of cylindrical tanks, exce tanks of 275 gallons capacity or less:

Tanks 36 in. in diameter and less—¼ i shell, ¼ in. heads.

Tanks 37 to 72 in. in diameter—¼ i shell, 5/16 in. heads.

Tanks 73 to 120 in. in diameter—5/16 i shell, ⅜ in. heads.

Tanks over 120 in. in diameter to be ⅜ in. steel and to be stiffened by ang rings or equivalent members so as to r tain their cylindrical form.

[d] 5.1.4 All cylindrical, oval or abround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell ¼ in. thick, ⅝ in. in diameter rivets 2¼ in. pitch.

In shell 5/16 in. thick, ⅝ in. in diameter rivets 2⅜ in. pitch.

In shell ⅜ in. thick, ¾ in. in diameter rivets 2½ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks; and of a thickness of not less than 5/16 of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be ⅝ of an inch in diameter and spaced not more than 2¼ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the full strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch (¼") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be ¼ inch and the minimum thickness of roof plates ⅛ inch.

The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted water-tight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formular for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

5.5 Storage Containers.

[a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

[a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7′), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.

[b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4″) of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2″ x 2″ mesh, and extending at least four inches (4″) beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart.
Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8″) in thickness and of dimension not less than fifteen inches (15″) greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2′) above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25′) along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10′) along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.

[c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

[d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

[a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2′) below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1″) mesh. When necessary to prevent floating, tanks shall be securely anchored.

[b] 6.2.2 Along the line of subways no tank shall be placed within twenty (20′) feet of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

[c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.

[d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground.

[a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter (1¼) tank diameters and in no case less than ten feet (10′) from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "
If distant 50 feet.....	48,000 "
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more	100,000 "

[b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half (1½) times the capacity of the tank so surrounded and shall be at least four feet (4′) high but in no case higher than one-fourth (¼) the height of the tank when the height of the tank exceeds sixteen feet (16′). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3′) and a slope of a

least one and one-half (1½) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

[c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

[a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

[b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch (⅜″) inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.

[c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

[a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

[b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.

[c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half (1½) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

[a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1″). Cross connection between vent pipe and fill pipe is prohibited.

[b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.

[c] 7.3.3 Vents shall be not less than one and one-quarter inches (1¼″) in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2″) in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than ½ inch in diameter and may be run into the storage tank vent.

[d] 7.3.4 Vent pipes shall be provided with weatherproof hoods and shall terminate outside the building not less than two feet (2′) from any building opening and not less than five feet (5′) nor more than twelve feet (12′) above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1″) line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

[a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5′) from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.

[b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.

[c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

[d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than ⅛ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

7.6 Scavenging Line.

7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

[a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

[b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.

[c] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:

8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50′) above the street level. Only one oil delivery line shall be installed for each floor.

8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2″) iron pipe size.

8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:

Temperature control
Ignition "
Stack or Combustion "
Pressure "
Gravity "

[d] 8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

[e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

[f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

[a] 9.1 All tanks located inside of buildings shall be provided with an oil level in indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.

[b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.

[c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

10.1 Permits.

[a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.

[b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Commissioner of Buildings when required under Rule 10.2

[c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or ou

side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Commissioner of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by Code of Ordinances.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 29 gauge sheet metal backed by ¼ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus, except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating devices protected by a shield of ½" asbestos or equiva-

lent extending at least twelve (12") inches beyond the outline dimension of such device where required within the specific approval of each burner.

[g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

Rule 15. Instruction Cards and Certificate of Fitness.

[a] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.

[b] 15.2 All heating systems in which the oil is preheated or systems not fully automatic shall, when operating, be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of Section 409 of the Charter of the City of New York, shall not be required to obtain such certificate.

Rule 16. Modification.

16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

Name of Pump	*Calendar No.*
American Marsh Duplex	638-25-SA
American Marsh Simplex	639-25-SA
Autopulse Electric Fuel Oil Pump	215-31-SA
Autopulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA
Ballard Duplex Electric Driven Pump Set	1413-22-SA
Beach Russ Co. Rotary	1134-22-SA
Blackmer Rotary	935-24-SA
Blake & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA
Century Rotary	908-21-SA
Cook Electric Oil Pump	603-25-SA
Davidson	590-21-SA
Dean Bros. Durable Duplex	840-22-SA
DeLaval IMO Oil Pump	628-32-SA
Deming Double Oscillating Force Pump	458-27-SA
Deming Fuel Oil Pump	298-31-SA
Enterprise Oil Pump	11-28-SA
Exeter Rotary	507-22-SA
General Electric Oil Pump	475-32-SA
Goulds Hand Rotary	1133-25-SA
Goulds Rotary Oil Pump	437-31-SA
Goulds Triplex Plunger	257-22-SA
Hardinge Fuel Oil Pump	813-25-SA
Kinney Rotating Plunger Pump	503-24-SA
Koerting Gear Pump	1264-25-SA
Kraissl Fuel Oil Pump	60-28-SA
Leiman Rotary	95-24-SA
Marsh Fuel Oil Pump	1050-23-SA
McGowan Horizontal Duplex Fuel Oil Pump	936-23-SA
M. D. Rotary	52-27-SA
Milwaukee Piston Rotating Port Pump	763-25-SA
Monroe Oil Pump	658-26-SA
National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Northern Rotary	1396-24-SA
Pascoe Pump Set	1029-26-SA
Petro-Nokol Industrial Oil Pump	570-32-SA
Quiet May Gerotor Pump	267-32-SA
Quimby Screw Pump	1193-21-SA
Range-O-Matic Oil Pump, Model 50 and Suction Model	102-35-SA
Ray Rotary	588-25-SA
Rotary Pressure Pump	1060-25-SA
Rotary Vacuum Pump	513-25-SA
Samson Magnetic Fuel Oil Pump	163-34-SA
S. B. U. Pumps, Models A, B, C and D	410-32-SA
Sundstrand Fuel Unit (Pump), Models 7-OB and 77-OB	199-36-S
Tate-Jones	492-21-S
Teesdale Automatic Booster Fuel Oil Pump	1279-25-S
Teesdale Oil Pump, Types S, 2S and 4S	281-38-S
Tuthill Model B Fuel Oil Pump	60-28-S
Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-S
Union Steam Pump for Fuel Oil	705-30-S
Viking	438-21-S
Warren Oil Pump	1169-23-S
Wayne Oil Pump & Fan Set	1155-25-S
Webster Fuel Oil Pump, Types A, Q and T	23-34-S
Worthington Duplex Double-Acting Steam Pump	184-22-S
Worthington Show Model Duplex	194-22-S

APPROVED APPLIANCES

Burners for Domestic and Commercial Use

Name of Burner	*Calendar No.*
A. B. C. Oil Burner	1295-24-SA
A. B. C. Oil Burner, Type H	684-29-SA
Ace Rotary Oil Burner	47-35-SA
Acme Automatic Oil Burner (Gun Type) Model A-1	112-36-SA
Acme Oil Burner, Models BO-1 and BO-2	132-34-SA
Aetna Automatic Oil Burner	1547-23-SA
Air-Blast Oil Burner	579-32-SA
Airnoil Burner	175-37-SA
Airtemp Oil Burner, Models B-6 and C-6	139-36-SA
Airtemp Oil Burner, Models D, F and G	88-34-SA
Alladin Oil Burner	298-26-SA
Alexander Oil Burner	65-28-SA
Alida Oil Burner	124-34-SA
Alida-Remington Oil Burner	124-34-SA
Alpine Oil Burner, Models A and H	110-36-SA
American Blue Flame and Sun Flame Oil Burning Heaters, Models No. 73, 86, 88, 92, 93, 94, 95, 96, 4512, 4518, 4528, 4538, 4562, 4563, 4573, 4578, 4588, 4688, 4678, 4668, 4666, 4683, 4663, 4653, 4673, 4674, 4664, 4612, 4618, 4628, 4638, 4788, 4778, 4768, 4783, 4763, 4753, 4773, 4712, 4718, 4721 and 4738	298-33-SA
Arcoflame Oil Burner	426-38-SA
Aristocrat Oil Burner	222-35-SA
Associated Oil Burner	178-35-SA
Auto Heat Oil Burner	284-33-SA
Autocrat Oil Burner, Model B-1	297-31-SA
Automatic Airless Oil Burner, Model No. 1	53-34-SA
Baker Automatic House Heating Burner	1323-22-SA
Baker Oil Burner, Model L, Gun Type	404-29-SA
Baker Perkins Atomizing Type, Mechanical Draft Oil Burner, Types C and CD	329-35-SA
Ballard Baby Grand Oil Burner	447-32-SA
Ballard Oil Burner, Models B-A, 1, 2, 3 and 4	447-32-SA
Ballard Super Domestic Oil Burner	939-24-SA
Bauer Oil Burner	129-37-SA
Bayard Domestic Fuel Oil Burner	1184-22-SA
Benat Oil Burner, Models A, B and E	23-37-SA
Berggren Oil Burner	764-26-SA
Bethlehem-Doe Oil Burner, Models CE, FE, F, G and H	116-37-SA
Bethlehem-Hering Oil Burner, Models CE, FE, F, G and H	116-37-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA
Bettendorf Automatic Oil Burner, Models D, F and G	88-34-SA
Bettendorf "Double Heat" Automatic Oil Burner, Models MV and MW	505-37-SA
Bettendorf High Pressure Oil Burner	479-31-SA
Bettendorf Oil Burner	731-28-SA
Bettendorf Oil Burner, Model H.B	498-32-SA
Bock Oil Burner, Models A, B, C and D	123-31-SA
Bock Oil Burner, Models WH-3, WH-5, WH-6 and WH-8	102-34-SA
Borden Oil Burner, Model B	29-37-SA
Braden Automatic Fuel Oil Burner	322-30-SA
Branford Oil Burner	36-31-SA
Branford Oil Burner, Model "A"	461-32-SA
Brighton Oil Burner	372-33-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA
Caloroil Burner, Type AA	1361-24-SA
Caloroil Horizontal Rotary Oil Burner, Models 1, 2, 3, 4, 5 and 6	327-31-SA
Camel Automatic Oil Burner, Model 30, Types A, B and C and Models J and A.S	229-32-SA
Capitol Oil Burner, Models A, B and E	23-37-SA
Carboradiant Oil Burner, Models V & VS	16-31-SA
Carboradiant Oil Burner, Model VSS	49-32-SA
Carborundum Burner	571-29-SA
Carrier Oil Burner, Models CE, FE, F, G and H	116-37-SA
Cardinal Oil Burner, Model C	50-37-SA
Carter-Korth Oil Burner, Model "P"	389-32-SA
Carter-Korth Oil Burner	54-30-SA
Carter Oil Burner, Models, 4X, 5X, 6X and 10X	117-34-SA
Ceco Oil Burner	354-35-SA
Central Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Century Oil Burner	157-28-SA
Century Pressing Machine Oil Burner, Models U1 and U2	25-37-SA
Challenger Kleen Heat Burner, Series No. 100	813-28-SA
Challenger Oil Burner, Model "A"	86-34-SA
Chalmers-Ace (Rotary) Oil Burner	47-35-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA
Citro Oil Burner, Models A and B	86-36-SA
Clark Domestic Gun Type Oil Burner, Models EJ-1 and EJ-2	579-37-SA
Clark Horizontal Rotary Oil Burner	618-37-SA
Commonwealth Automatic Oil Burner	348-28-SA
Concord Burner	108-35-SA
Conservoil Burner, Models H-1C and H-1F	155-37-SA
Continential Oil Burner, Models A, B and C	146-31-SA
Cook's Automatic Oil Burner	955-27-SA
Cope-Swift Safety Automatic Oil Burner	354-31-SA
Craftsman Oil Burner	222-35-SA
Crano Oil Burner, Models H-IC and H-IF	155-37-SA
Crater Automatic Oil Burner	34-34-SA
Crescent Oil Burner	222-29-SA
Crescent Type M Size I Oil Burner and Models 8, 18 and 28	592-31-SA
Creveling Oil Burner, Models A, B and E	23-37-SA
Crown Oil Burner, Type XA	426-29-SA
Crystal Blue Flame Oil Burner	423-29-SA
Dahl Vaporizing Oil Burner	915-26-SA
D'Elia Oil Burner	155-31-SA
Delco Heat Oil Burner	420-31-SA
Demand Oil Burner	108-34-SA
DeWalt Oil Burner	541-31-SA
Diesel-American Oil Burner, Model D-A-1	6-37-SA
Diesel Oil Burner	354-35-SA
Dist-o-matic Oil Burner	663-28-SA
Doe Oil Burner	317-31-SA
Doherty Oil Burner	943-26-SA
Draft-Rite Oil Burner	178-35-SA
Dupont Oil Burner	248-36-SA
Easternoil Automatic Oil Burner, Models A, B and C	600-31-SA
Econ-O-Heat Oil Burner, Model E	130-37-SA
Econ-O-Mizer Oil Burner, Models E, M and A	393-38-SA
Economy Oil Burner, Type A-1	45-31-SA
Edison Oil Burner, Models A, B and E	23-37-SA
Eisler Automatic Oil Burner	481-27-SA
Elec-tro-matic Oil Burner, Type 151	125-33-SA
Electrol Automatic Oil Burner and Models BB, C, EA, TCV, TUV and TM	259-25-SA
Ember-Glo Oil Burner	462-32-SA
Empire Oil Burner	222-35-SA
Enterprise Rotary Fuel Oil Burner	1149-27-SA
Enterprise Steam Atomizing Burner	15-33-SA
Enterprise Type Junior "W" Oil Burner, Models 1, 2 and 3	225-32-SA
Espo Oil Gas Burner	1431-23-SA
Esso Oil Burner, Models E.B. 1 and 2	520-31-SA
Esso Oil Burner, Models E.B. 3, 4 and 5	109-31-SA
Evenheet Oil Burner	554-32-SA
Everedy Oil Burner	102-33-SA

APPROVED APPLIANCES

Name of Burner	*Calendar No.*
Fairfield Oil Burner	584-31-SA
Faultless Oil Burner	493-24-SA
Fine-Glo Oil Burner	178-35-SA
Fitzgibbons Oil Burner, Model M	172-37-SA
Flex-O-Gas Oil Burner for Pressing Machine, Model T-2	125-36-SA
Fluid Heat Domestic Oil Burner, Type O	1094-27-SA
Fluid Heat (Gun Type) Oil Burner, Model P	134-35-SA
Fluid Heat Oil Burner	361-32-SA
Forsdraft Oil Burner	41-34-SA
Foster Oil Burner	715-26-SA
Franklin Domestic Oil Burner	560-26-SA
Freeport-Silent Service Oil Burner, Models 5, 10 and 30	97-33-SA
Fuelo Oil Burner	47-30-SA
Gar Wood Oil Burner	373-30-SA
Gar Wood Oil Burner, Models K, K-3500, T and W	481-32-SA
General Automatic Oil Burner, Model A	60-36-SA
General Electric Fuel Oil Burner	434-32-SA
General Electric Oil Burner, Type DA-2	228-33-SA
General Electric Oil Burner, Type DB-2	201-38-SA
Ghapco Steam Generator	348-31-SA
Gilbarco-Ballard Heavy Oil Burner, Models BM, DM, FM, HM, BS, DS, FS, HS, BA, DA, FA, HA, BPM, DPM, FPM, HPM, BPS, DPS, FPS, HPS, BPA, DPA, FPA, HPA, BPW, DPW, FPW, HPW, BPH, DPH, FPH and HPH	1493-22-SA
Gilbarco G.B.O. Oil Burner	282-33-SA
Gilbarco Industrial Burner	350-32-SA
Gilbarco Oil Burner, Models G.B. 1 and 2	520-31-SA
Gilbarco Oil Burner, Models G.B. 3, 4 and 5	109-31-SA
Gilbert & Barker Flexible Flame Burner	109-31-SA
Gilbert & Barker Junior Flexible Flame Domestic Oil Burner	520-31-SA
Gilbert & Barker Oil Burner, Model S-1	282-33-SA
Gilbert-Bethlehem Oil Burner, Models CE, FE, F, G and H	116-37-SA
Gill Oil Burner	1231-23-SA
Gold Star Oil Burner, Models F, S, J and J-1	166-33-SA
Goodrich Oil Burner, Models G-0, G-1, G-2 and G-3	441-31-SA
Goodspeed Automatic Oil Burner	957-27-SA
Goodspeed Oil Burner, Nozzle Type 2	346-33-SA
Gould Automatic Oil Burner	178-35-SA
Grant Oil Burner	382-26-SA
Grant Oil Burner, Model "C"	232-32-SA
Hardinge Oil Burner	813-25-SA
Hardinge Oil Burner, Model 23	33-33-SA
Harris Fuel Oil Burner	690-30-SA
Hart Automatic Oil Burner	1162-24-SA
Hart Automatic Oil Burner, Model Series "DO"	595-29-SA
Hart Oil Burner, Model "H"	221-33-SA
Hauck Venturi Low Pressure Oil Burner	88-27-SA
Haywood Oil Burner (Vertical Rotary), Models AG, BG, CG, DG, AP, BP, CP and DP	696-30-SA
Hayward Oil Burner, Model 2000	118-35-SA
Heat King Oil Burner, Model 2	98-35-SA
Heat-O-Matic Oil Burner	178-35-SA
Heat-Pak Oil Burner, Models 35 and Compact	237-36-SA
Heatiator Oil Burner	1346-23-SA
Heil Combustion Fuel Oil Burner	1105-22-SA
Heil Combustion Fuel Oil Burner, Type B	295-29-SA
Henjes Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Herco Oil Burner, Models R-15, R-35, F, P-15, P-35, P-50, J-5, J-10, S-20 and S-40	21-36-SA
Hercules Oil Burner	510-29-SA
Hercules Oil Burner, Models H, HF and Type H, 1937 Model	309-33-SA
Hercules Oil Burner, Models M 1200 and M 1800	486-32-SA
Herman Nelson Conversion Oil Burner	144-36-SA
Hillcrest Oil Burner, Models A, B and E	23-37-SA
Hipoint Oil Burner, Models A-2, B-2 and C-2	11-36-SA
Hofmann Automatic Fuel Oil Burner, Model 41	274-35-SA
Holby Type A Fuel Oil Burner	688-29-SA
Holland Gun Type Oil Burner	225-37-SA
Holland Type "F" Oil Burner	237-34-SA
Home-Utility Oil Burner, Models A and H	110-36-SA
Homer Domestic Oil Burner	1211-25-SA
Homestead Oil Burner, Model E	176-36-SA
Homestead Twin Control Oil Burner, Models J, N, H, JU and NU	176-36-SA
Hupp Oil Burner, Models H, U. P and PP	10-34-SA
Ideal Oil Burner, Models A, B and E	23-37-SA
Imperial Oil Burner	187-33-SA
Improved Kres-Kno Oil Burner and Model MD	591-29-SA
Inferno Oil Burner	82-33-SA
International Mechanical Draft Oil Burner	372-30-SA
International Oil Burner	1305-24-SA
Jacobsen Balanced Oil Burner, (Model V-1)	333-33-SA
Johnson Improved Rotary Fuel Oil Burner	938-22-SA
Joyce Oil Burner	852-26-SA
K. F. C. Oil Burner	846-25-SA
Kaytown Quiet Automatic Oil Burner, Models A, B and C	146-31-SA
Kelco Oil Burner	237-33-SA
Kelvinator Oil Burner	339-31-SA
Kelvinator Oil Burner, Model K	105-34-SA
KeWaNee Oil Burner, Model "C"	518-32-SA
Keystone Oil Burner, Models LP and WP	438-38-SA
Kingsco Oil Burner, Model E	130-37-SA
Kingsway Century Oil Burner, Models F and G	369-33-SA
Kingsway Silent Automatic Oil Burner, Model A-1	216-36-SA
Kleen Heet Oil Burner	62-24-SA
Kleen Heet Oil Burner, Type 902	99-35-SA
Kleen Heet Oil Burner, Type R	49-33-SA
Korth Oil Burner, Models G and S	136-34-SA
Kreager Oil Burner	367-30-SA
Kres-Kno Oil Burner	443-28-SA
Kres-Kno Pressing Machine Burner, Model MD, sizes KRF and KRF-1	354-34-SA
Laco Oil Burner, Model NL	670-30-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA
Lange Economical Oil Burner	355-33-SA
Latham Automatic Oil Burner	49-38-SA
Lawrence May Oil Burner	1034-27-SA
Leader Bake Oven Oil Burner	384-36-SA
Leader Oil Burner	425-31-SA
Leiman Brothers Fuel Oil Burner	314-30-SA
Lektro-Matic Oil Burner, Models 1-G, 2-G, 3-G, 4-G and 5-G	265-37-SA
Lennox Oil Burner, Series LE-1, LE-2 and LE-3	565-38-SA
Liberty Automatic Heater	129-28-SA
Liberty Pressure Oil Burner	75-34-SA
Lochinvar Oil Burning Unit	142-36-SA
Lonergan Automatic Oil Burner	208-33-SA
Luxor Heat Oil Burner	322-30-SA
Lynn Power Oil Burner, Models 1, 2 and 3	166-34-SA
"M W" Domestic Oil Burners, Models Nos. 25, 26, 65, 66, 307, 308, 309, 400 and 800	341-32-SA
M. W. Emancipator Oil Burner	102-33-SA
M. W. Oil Burning Water Heater	737-29-SA
M. W. Water Heater, Model 20-D	365-34-SA

APPROVED APPLIANCES

Name of Burner	*Calendar No.*
Magna Fuel Oil Burner	197-33-SA
Majestic Oil Burner	693-30-SA
Major Oil Burner, Models H, U, P and PP	10-34-SA
Major Oil Burner, Models M and J	293-38-SA
Marr Oil Burner, Model H, Type R	765-26-SA
Master Fuel Oil Burner	350-32-SA
Master Gulf Oil Burner, Models A, B and E	23-37-SA
Master-Kraft Oil Burner	83-33-SA
May Oil Burner	68-24-SA
May Oil Burner, Type BB	46-34-SA
Mayfield Oil Burner	568-31-SA
Mayflower Oil Burner	124-29-SA
Mazda Oil Burner, Models A, B and E	23-37-SA
McIlvane Oil Burner	544-29-SA
Melco Automatic Oil Burner, Type "A"	1032-25-SA
Merco Oil Burner	637-29-SA
Mercurol Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Metered Heat Oil Burner, Model G	136-34-SA
Metro-Pressure Oil Burner, Models A, B and C	146-31-SA
Micron Oil Burner	345-34-SA
Midget Oil Burner	155-34-SA
Midget Pressing Machine Oil Burner	122-35-SA
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114	327-31-SA
Minneapolis Automatic Oil Burner	34-34-SA
Mohawk Oil Burner, Models A and H	110-36-SA
Monitor Oil Burner	202-34-SA
Morgan Oil Burner, Models A and H	110-36-SA
Morrissey Oil Burner	673-27-SA
Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3, and MP-1	359-33-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Morse Fuel Oil Burner	820-23-SA
Moto-Heat Oil Burner	195-32-SA
Motorless Oilheat Burner, Models 7, 9, 11, 13 and 15	628-23-SA
Mousette Oil Burner	887-25-SA
Nabco Oil Burner	287-37-SA
Nairoil Oil Burner, Type R, Model E	13-35-SA
National Airoil High Pressure Burner	185-29-SA
National Airoil Low Pressure Burner	186-29-SA
National Airoil Type D-R Rotary Oil Burner	548-31-SA
National Devices Oil Burner	184-36-SA
National Oil Burner, Model E-J	360-34-SA
National Rotary Oil Burner	836-25-SA
Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA
New Perfection Oil Burner, Type "C"	518-29-SA
New Process Oil Burner	1071-27-SA
Nichols-McCann-Harrison Burners	255-31-SA
Noiseless Nokol Model G Oil Burner	801-28-SA
Noiseless Nokol Rotary Oil Burner, Model R	584-28-SA
Nokol Automatic Burner	1078-24-SA
Norge Oil Burner, Models N5, N8, N68 and N88	345-31-SA
Norge Oil Burner Models N8, N18 and N28	226-34-SA
Norge Oil Burner, Models N8-8C and N13-8C	543-37-SA
Norge Water Heater, Models 23 and 45	365-34-SA
Nu-Way Oil Burner	773-26-SA
Oil Aire-Flo Burner Unit, Series H	564-38-SA
Oilbuilt Burner	85-33-SA
Oil King Oil Burner, Models F, S, J and J-1	166-33-SA
Oliver Oil Gas Burner, No. 30-A	1359-24-SA
Orco Oil Burner, Model A-1	216-36-SA
Oronoque Oil Burner	394-30-SA
Orr Fuel Oil Burner	113-26-SA
PDM Low Pressure Oil Burner	205-38-SA
Pacific Oil Burner	343-35-SA
Packard Fuel Oil Burner	77-34-SA
Paragon Oil Burner, Model A-25	248-37-SA
Paragon Oil Burner, Models R-15 and R-35	21-36-SA
Paramount Oil Burner	1193-25-SA
Paramount Oil Burner, Model A	617-30-SA
Pascoe Oil Burner	1029-26-SA
Penn Automatic Oil Burner, Gun Type	250-37-SA
Penn Rotary Oil Burner	236-35-SA
Peoples Silent Oil Burner, Models O and G	313-35-SA
Perfect Automatic Oil Burner, Models DL-7, DL-8, DL-10, 0-5, 0-7, 0-8 and 0-10	264-35-SA
Perfect Automatic Oil Burner (Gun Type), Model A-1	112-36-SA
Perfect-Pantex Oil Burner	271-33-SA
Perfex Airnoil Burner	175-37-SA
Petro Domestic Burner	161-26-SA
Petro Model T Oil Burner	451-31-SA
Petro Model W Oil Burner	452-31-SA
Petro Burner, Model O	78-28-SA
Petro Burner, Model P-2	735-30-SA
Petro Oil Burner, Model W-2	244-33-SA
Petro Oil Burner, Models W-1 and W-1½	245-33-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA
Petroleum Heat & Power Company Fuel Oil Burner Model W-AH	614-32-SA
Philco Oil Burner, Models AM and B	27-37-SA
Pioneer Automatic Oil Burner	1259-27-SA
Precision Oil Burner, Model W	137-37-SA
Preferred Oil Burner (Manual Operation), Model D. O.	253-35-SA
Pressure Oil Burners, Models A B and C	146-31-SA
Presto Automatic Oil Burner	294-34-SA
Prize Automatic Oil Burner, Models A, B and C	600-31-SA
Progressive Oil Burner, Models G4, G5, G6 and G7	411-32-SA
Progressive Press Machine Oil Burner, Models PMB and PMBS	224-34-SA
Public Service Oil Burner, Models R-15 and R-35	21-36-SA
Pyrolene Oil Burner	184-36-SA
Quiet Ballard Automatic Oil Burner	660-30-SA
Quiet Heet Oil Burner	49-36-SA
Radiant Oil Burner, Models 1G, 2G, 3G, 4G and 5G	265-37-SA
Radiant Oil Burner, Model 2½ M	559-38-SA
Rasol Oil Burner	108-34-SA
Ray-Dio Sunshine Oil Burner, Model C, sizes 12, 14 and 16	368-34-SA
Ray Gun Type Oil Burner, Model XP	50-38-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Rayfield Oil Burner	504-26-SA
Real Host Oil Burner	38-34-SA
Re-Ly-On Oil Burner	745-26-SA
Remington Domestic Oil Burner, Type B	532-31-SA
Remington Oil Burner	891-26-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Reynolds Automatic Oil Burner, Model R-G	440-37-SA
Reynolds Oil Burner, Model GC	266-34-SA
Richfield Oil Burner, Pressure Gun Type	73-36-SA
Richmond Gravity Fuel Oil Burner	1193-22-SA
Rickard Oil Burner	1011-27-SA
Ritz Oil Burner, Model A	378-36-SA
Rohr Schanck Fuel Oil Burner	583-21-SA
Rotoflame Gem Oil Burner	187-33-SA
Round Oak Oil Burner	343-35-SA
Ryan & Scully Commercial and Domestic Oil Burner	304-32-SA
S. & K. Mechanical Fuel Oil Burner	1115-22-SA
S & K Wide Range Fuel Oil Burner	10-33-SA
S-K Oil Burner, Models F and G	369-33-SA
S. T. Johnson Co. B.H. Oil Burner	517-37-SA

APPROVED APPLIANCES

Name of Burner	*Calendar No.*
S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
S. T. Johnson Oil Heat Servant	157-34-SA
Sachem G.B.O. Oil Burner	282-33-SA
Schulse Home Oil Burner	1487-23-SA
Scott-Newcomb Pioneer Oil Burner, Models C, CA, CJ, CV and SN Junior	436-32-SA
Sealdheet Oil Burner, Model SH	160-36-SA
Security Oil Burner	56-28-SA
Shepard Oil Burner	563-30-SA
Shill Oil Burner	315-30-SA
Shur-Heat Oil Burner, Models R-15 and R-35	21-36-SA
Silent-Auburn Fuel Oil Burner, Models A, B, C, O, A1 and AA	461-31-SA
Silent Automatic Oil Burner	458-26-SA
Silent Automatic Burner, Model "B"	709-30-SA
Silent Automatic Burner, Model "E"	710-30-SA
Silent Flame Oil Burner, Model M	172-37-SA
Silent Flash Oil Burner, Model C1	38-33-SA
Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106	328-37-SA
Silent Glow Oil Burner, Model G	600-30-SA
Silent Glow Oil Burner, Models 600, 800, 1000, 1200, 1800, 2800, 3800, 6800 and 8800.	345-31-SA
Silent Glow Oil Burner, Model 1300	12-37-SA
Silent Glow Oil Burner for Pressing Machines, Models 600 and 800	327-37-SA
Silent Heet Oil Burner, Models A, B and E	23-37-SA
Silent Heet Oil Burner, Model C	96-36-SA
Silent Paramount Oil Burner, Models F and G	369-33-SA
Simplex Domestic Oil Burner, Type P.A.	446-30-SA
Simplex Domestic Type "S.P." Oil Burner	145-31-SA
Simplex Horizontal Rotary Oil Burner, Types H, H.E.G. and H.E.G.-H	367-36-SA
Simplex Turbine Fuel Oil Burner, Models C.O.G. and M.O.G.	1203-22-SA
Socony Arrow Oil Burner	1191-24-SA
Standard Automatic Oil Burner, Type 14-G.	536-31-SA
Standard Automatic Oil Burner, Type 11-G.	537-31-SA
Standardyne Oil Burner	34-34-SA
Stephens Oil Burner, Models Nos. 1 and 2	146-33-SA
Sterling Oil Burner	322-30-SA
Stromberg Oil Burner, Models A, B and E	23-37-SA
Stuhler Oil Burner	618-27-SA
Stuhler Oil Burner, Model R	84-36-SA
Summerheet Oil Burner	581-26-SA
Sundstrand Automatic Oil Burner	755-26-SA
Sundstrand Purmaco Automatic Oil Burner, Models A-2, 4-B, C-5, A-3U, 3K, B-5U, B-5K and C-6U	658-30-SA
Sunflower Model S-1 Oil Burner	657-29-SA
Sunflower Oil Burner, Model S-2	587-30-SA
Sun-Glo Oil Burner, Models A, B and E	23-37-SA
Sun Heat Oil Burner	603-29-SA
Sun-Ray Fuel Oil Burner	106-33-SA
Sunway Oil Burner	624-30-SA
Super Automatic Oil Heater Model SSH	715-29-SA
Super Automatic Zephyr Oil Burner, Model A	463-31-SA
Superb Oil Burner, Models A and B	86-36-SA
Superfex Oil Burner, for Warm Air Furnaces, Models 100, 100-E, 101, 101-E, 200, 200-E, 300 and 300-E	400-32-SA
Superheet Oil Burner, Model D	254-33-SA
Superior Oil Burner, Models A and H	110-36-SA
Supreme Oil Burner, Model G	136-34-SA
Swirling Heat Oil Burner, Model A-M	242-36-SA
Sword Automatic Oil Burner	951-25-SA
Syncro-Flame Oil Burner, Models R and RH	139-35-SA
Tabor Automatic Oil Heater, Type "D"	778-28-SA
Thermoil Oil Burner, Model G1	324-36-SA
Thompson-Gould Oil Burner	178-35-SA
Thoroburn Oil Burner, Model A-1-16-G	269-33-SA
Timken Oil Burner, Model 20	287-28-SA
Timken Rotary Oil Burner	297-29-SA
Timken Silent Automatic Heater (Water Heater Unit) Models 40-A and 50-B	121-35-SA
Timken Silent Automatic Oil Burner, Model G	266-34-SA
Timken Wall Flame Oil Burner, Model F	497-38-SA
Todd Mechanical Oil Burner, Type Hex-Press	177-35-SA
Todd Rotary Burner, Models A, B and C	454-25-SA
Todd Spiro Oil Burner	470-31-SA
Todd Spiro Burner (pump type)	94-32-SA
Toridheet Oil Burner	63-28-SA
Toridheet Oil Burner, Model G	17-35-SA
Tri-Aire Oil Burner, Model C-3	188-36-SA
Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Tropic Heat Oil Burner, Model G	136-34-SA
Twin City-on-the-Door Oil Burner	129-27-SA
U and S Oil Burner for Pressing Machine, Models A, B and C	331-36-SA
Uni-Lec-Tric Oil Burner	498-29-SA
United States Gun-type Oil Burner	222-35-SA
United States Oil Burner	620-28-SA
Universal Fuel Oil Burner	6-24-SA
Universal Oil Burner	584-31-SA
Vapomatic Oil Burner	275-34-SA
Vaporoil Burner	44-32-SA
Vesta Oil Burner	451-26-SA
Victor Oil Burner	612-30-SA
Victory Oil Burner	320-30-SA
Viking Oil Burner	396-32-SA
Vitro-Heet Oil Burner, Model MD	591-29-SA
Vitro-Heet Pressing Machine Burner, Model MD, sizes KRF and KRF-1	354-34-SA
Volcano Automatic Oil Burner	556-29-SA
Volcano Automatic Oil Burner, Models EW, EW-1, EW-2 and E	341-33-SA
Volcano Automatic Oil Burner, Models D, H and K	234-37-SA
Vortex Oil Burner, Type V, Model No. 7	180-38-SA
Warner Oil Burner, Model A	16-34-SA
Wayne Oil Burner	1155-25-SA
Wayne Domestic Oil Burner, Model K	115-32-SA
Wayne S-2 Domestic Oil Burner	115-32-SA
Webster Oil Burner, Model M	172-37-SA
Weco Multi Oil Burner, Low Pressure Type	24-36-SA
Wheco Oil Burner	108-34-SA
White Flame Oil Burner	357-35-SA
White Heat Oil Burner	232-36-SA
Williams Oil-O-Matic Oil Burner, Models J, JJ, Junior, K, KA, KB, and R	918-22-SA
Windsor Oil Burner, Models A-3U, B-5U and C-6U	658-30-SA
Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Wisconsin Fuel Oil Burner, Models O, A and B	32-33-SA
Wizard Automatic Oil Burner	181-33-SA
York Automatic Oil Burner	44-29-SA
York Bake Oven Oil Burner	384-36-SA
York Horizontal Rotary Oil Burner (Type AP)	56-36-SA
York-Lalor Oil Burner	261-37-SA
Yorktown Oil Burner	166-33-SA
Yorktown Oil Burner, Model A	3-35-SA
Zenith Oil Burner	270-34-SA

APPROVED APPLIANCES

Burners for Industrial Use

Name of Burner	*Calendar No.*
Ace Rotary Oil Burner	47-35-SA
Air-Blast Oil Burner	579-32-SA
Airnoil Burner	175-37-SA
Airtemp Oil Burner, Models D, F and G	88-34-SA
Alpine Oil Burner, Models A and H	110-36-SA
Anthony Nebulyte Oil Burner	1026-22-SA
Arcoflame Oil Burner	426-38-SA
Aristocrat Oil Burner	222-35-SA
Associated Oil Burner	178-35-SA
Auto Heat Oil Burner	284-33-SA
Automatic Airless Oil Burner, Model No. 1	53-34-SA
Babcock & Wilcox Mechanical Oil Burner	45-21-SA
Ballard Automatic Oil Burner	1363-23-SA
Ballard Oil Burner, Models B-A 1, 2, 3 and 4	447-32-SA
Ballard Low Pressure Mechanical Oil Burner	1493-22-SA
Ballard Jr. Oil Burner	1176-27-SA
Ballard Staples & Pfeiffer Steam Atomizing High Pressure Burner	1414-22-SA
Bauer Oil Burner	129-37-SA
Berggren Oil Burner	764-26-SA
Best Calorex Burner	1464-21-SA
Bethlehem Steam Atomizing Fuel Oil Burner	485-32-SA
Bettendorf Automatic Oil Burner, Models D, F and G	88-34-SA
Bock Oil Burner, Models A, B, C and D	123-31-SA
Bock Oil Burner, Models WH-3, WH-5, WH-6 and WH-8	102-34-SA
Borden Oil Burner, Model B	29-37-SA
Brighton Oil Burner	372-33-SA
Bullet Automatic Oil Burners, Models A and B	195-33-SA
Burnwell Mechanical Burner	957-22-SA
Caloroil Burner, Type AA	1361-24-SA
Caloroil Horizontal Rotary Oil Burner, Models 1, 2, 3, 4, 5 and 6	327-31-SA
Carter Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Central Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Century pressing Machine Oil Burner, Models U1 and U2	25-37-SA
Chalmers-Ace (Rotary) Oil Burner	47-35-SA
Chalmers Automatic Oil Burner, Models D1 and D2	608-32-SA
Clark Horizontal Rotary Oil Burner	618-37-SA
Coen Mechanical Oil Burner	942-21-SA
Concord Burner	108-35-SA
Cornell No. 1 Type A Oil Burner	397-23-SA
Craftsman Oil Burner	222-35-SA
Crater Automatic Oil Burner	34-34-SA
Dahl Mechanical Fuel Oil Burner	13-21-SA
D'Elia Oil Burner	155-31-SA
Demand Oil Burner	108-34-SA
DeWalt Oil Burner	541-31-SA
Doe Oil Burner	317-31-SA
Draft-Rite Oil Burner	178-35-SA
Empire Oil Burner	222-35-SA
Enco Type 400 Steam Atomizing Oil Burner	1414-23-SA
Enco Mechanical Oil Burner	509-30-SA
Enterprise Rotary Fuel Oil Burner	1149-27-SA
Enterprise Steam Atomizing Burner	15-33-SA
Faber Industrial Fuel Oil Burner, Types B and M	372-38-SA
Fess Turbine Burner, Airoil Fan and Pump Set	26-22-SA
Fine-Glo Oil Burner	178-35-SA
Fitzgibbons Oil Burner, Model M	172-37-SA
Forsdraft Oil Burner	41-34-SA
Frankfort Type P Oil Burner	1046-23-SA
Gem Fuel Oil Burner	111-26-SA
General Electric Fuel Oil Burner, Model D-1	434-32-SA
General Electric Oil Burner, Type DA-2	228-33-SA
Ghapco Steam Generator	348-31-SA
Gilbarco-Ballard Heavy Oil Burner, Models BM, DM, FM, HM, BS, DS, FS, HS, BA, DA, FA, HA, BPM, DPM, FPM, HPM, BPS, DPS, FPS, HPS, BPA, DPA, FPA, HPA, BPW, DPW, FPW, HPW, BPH, DPH, FPH and HPH	1493-22-SA
Gilbarco Industrial Burner	350-32-SA
Gilbert & Barker Fuel Oil Burner	1636-21-SA
Gold Star Oil Burner, Models F and S	166-33-SA
Goodspeed Oil Burner, Nozzle Type 2	346-33-SA
Gould Automatic Oil Burner	178-35-SA
Grant Oil Burner, Model "C"	232-32-SA
GRD Fuel Oil Atomizer	128-27-SA
Greenawalt Down Draft Combustion Oil Burning Furnace	85-35-SA
Hammond Oil Burner	72-31-SA
Harris Fuel Oil Burner	690-30-SA
Hart Oil Burner, Model "H"	221-33-SA
Hauck Venturi Low Pressure Oil Burner	88-27-SA
Hayward Oil Burner (Vertical Rotary), Models AG, BG, CG, DG, AP, BP, CP and DP	696-30-SA
Hayward Oil Burner, Model 2000	118-35-SA
Heat-O-Matic Oil Burner	178-35-SA
Herco Oil Burner, Models R15, R35 F, P15, P35, P50, J5, J10, S20 and S40	21-36-SA
Hobeco Oil Burner	1278-21-SA
Holby Oil Burner	328-27-SA
Holby Type B Fuel Oil Burner	689-29-SA
Holland Gun Type Oil Burner	225-37-SA
Home Utility Oil Burner, Models A and H	110-36-SA
Hupp Oil Burner, Models H, U, P and PP	10-34-SA
Induslo Fuel Oil Burner 1-27	5-24-SA
Kelvinator Oil Burner, Model K	105-34-SA
Keystone Oil Burner, Models LP and WP	438-38-SA
Kingsway Century Oil Burner, Models F and G	369-33-SA
Kingsway Silent Automatic Oil Burner, Model A-1	216-36-SA
Korth Oil Burner, Models G and S	136-34-SA
Kreager Oil Burner	367-30-SA
Kres-Kno Pressing Machine Burner, Model MD, sizes KRF and KRF-1	354-34-SA
Laco Oil Burner, Models F, JF, BF and D	226-33-SA
Leader Bake Oven Oil Burner	384-36-SA
Leiman Brothers Fuel Oil Burner	314-30-SA
Lennox Oil Burner, Series LE-1, LE-2 and LE-3	565-38-SA
Liberty Automatic Heater	129-28-SA
Liberty Pressure Oil Burner	75-34-SA
Leintz Oil Burner	155-20-SA
Lonergan Automatic Oil Burner	208-33-SA
Lynn Power Oil Burner, Models 1, 2 and 3	166-34-SA
Magna Fuel Oil Burner	197-33-SA
Mahrvel Low Pressure Burner	859-26-SA
Major Oil Burner, Models H, U, P and PP	10-34-SA
Master Fuel Oil Burner	350-32-SA
Maxon Oil Burner (New Style)	1026-22-SA
May Oil Burner	68-24-SA
Mercurol Oil Burner, Models 4X, 5X, 6X and 10X	117-34-SA
Metered Heat Oil Burner, Model G	136-34-SA
Micron Oil Burner	345-34-SA
Midget Oil Burner	155-34-SA
Midget Pressing Machine Oil Burner	122-35-SA

APPROVED APPLIANCES

Name of Burner	*Calendar No.*
Mid-West Oil Burner, Models 106, 108, 208, 211, 311 and 114	327-31-SA
Minneapolis Automatic Oil Burner	34-34-SA
Mohawk Oil Burner, Models A and H	110-36-SA
Monarch Industrial Oil Burner	133-35-SA
Morgan Oil Burner, Models A and H	110-36-SA
Morrissey Oil Burner, Models MA-2, MA-3, MA-4, SP-1, SP-2, SP-3 and MP-1	359-33-SA
Morse Conical Type Steam Atomizing Burner	938-25-SA
Morse Fan Tail Type Steam Atomizing Burner	939-25-SA
Morse Fuel Oil Burner	820-23-SA
Nabco Oil Burner	287-37-SA
National Airoil High Pressure Burner	185-29-SA
National Airoil Low Pressure Burner	186-29-SA
National Airoil Type D-R Rotary Oil Burner	548-31-SA
National Devices Oil Burner	184-36-SA
Nesbitt Oil Burner, Models F, JF, BF and D	226-33-SA
Nichols-McCann-Harrison Burners	255-31-SA
Norge Oil Burner, Models N8-8C and N13-8C	543-37-SA
North American Low Pressure Oil Burner	792-26-SA
Oil Aire-Flo Burner Unit, Series H	564-38-SA
Oilbilt Burner	85-33-SA
Orco Oil Burner, Model A-1	216-36-SA
Oronoque Oil Burner	394-30-SA
PDM Low Pressure Oil Burner	205-38-SA
Packard Fuel Oil Burner	77-34-SA
Paragon Oil Burner, Models R-15 and R-35	21-36-SA
Paramount Oil Burner, Model A	617-30-SA
Peabody-Fisher Wide Range Mech. Oil Burner	644-21-SA
Penn Automatic Oil Burner, Gun Type	250-37-SA
Perfect-Pantex Oil Burner	271-33-SA
Perfex Airnoil Burner	175-37-SA
Petro Mechanical Burner and Air Register	735-24-SA
Petro Model W Oil Burner	452-31-SA
Petro Oil Burner, Models D-10, D-11, D-12, D-13, D-14 and D-15	40-31-SA
Petroleum Heat & Power Company Fuel Oil Burner, Model W-AH	614-32-SA
Preferred Oil Burner (Manual Operation), Model D. O.	253-35-SA
Presto Automatic Oil Burner	294-34-SA
Progressive Press Machine Oil Burner, Models PMB and PMBS	224-34-SA
Public Service Oil Burner, Models R-15 and R-35	21-36-SA
Pyrolene Oil Burner	184-36-SA
Quiet Ballard Automatic Oil Burner	660-30-SA
Quiet Heet Oil Burner	49-36-SA
Quigley No. 10 Low Pressure Oil Burner	436-31-SA
Quinn Oil Burning Equipment	367-21-SA
Rasol Oil Burner	108-34-SA
Ray Rotary Fuel Oil Burner, Types A and B	504-23-SA
Rexoil Domestic and Industrial Fuel Oil Burner	667-28-SA
Reynolds Oil Burner, Model GC	266-34-SA
Rockwell Fuel Oil Burner	341-21-SA
Rohr Schanck Fuel Oil Burner	583-21-SA
S. & K. Mechanical Fuel Oil Burner	1115-22-SA
S. & K. Wide Range Fuel Oil Burner	10-33-SA
S. K. Oil Burner, Models F and G	369-33-SA
S. T. Johnson Co., Type 30-A, Rotary Fuel Oil Burner	197-32-SA
S. T. Johnson Co., Type 30-H, Rotary Fuel Oil Burner	198-32-SA
Silent Glow Mid-West Oil Burner for Pressing Machines, Model 106	328-37-SA
Silent Glow Oil Burner for Pressing Machines, Models 600 and 800	327-37-SA
Silent Flame Oil Burner, Model M	172-37-SA
Silent Paramount Oil Burner, Models F and G	369-33-SA
Simplex Horizontal Rotary Oil Burner, Types H, H.E.G. and H.E.G.-H	367-36-SA
Simplex Turbine Fuel Oil Burner, Models C.O.G. and M.O.G.	1203-22-SA
Standardyne Oil Burner	34-34-SA
Steam Oil Burner	183-22-SA
Stephens Oil Burner, Models No. 1 and No. 2	146-33-SA
Stewart Gasifier Oil Burner	146-35-SA
Sun Heat Oil Burner	603-29-SA
Sun-Ray Fuel Oil Burner	106-33-SA
Sunway Oil Burner	624-30-SA
Superior Oil Burner, Models A and H	110-36-SA
Supreme Oil Burner, Model G	136-34-SA
Surface Combustion Low Pressure Burner	92-23-SA
Syncro-Flame Oil Burner, Model R	139-35-SA
Tate-Jones Fuel Oil Burner, "L" Type	1254-24-SA
Tate-Jones No. 6 Oil Burner	1444-23-SA
Thompson-Gould Oil Burner	178-35-SA
Timken Rotary Oil Burner	297-29-SA
Timken Silent Automatic Oil Burner, Model G	266-34-SA
Todd Mechanical Fuel Oil Burner	1525-22-SA
Todd Mechanical Oil Burner, Type Hex-Press	177-35-SA
Todd Rotary Burner, Models A, B and C	454-25-SA
Todd Spiro Oil Burner	470-31-SA
Todd Spiro Burner (pump type)	94-32-SA
Todd Steam Atomizing Fuel Oil Burner	123-23-SA
Trojan Domestic and Industrial Fuel Oil Burner	667-28-SA
Tropic Heat Oil Burner, Model G	136-34-SA
United States Gun-type Oil Burner	222-35-SA
United States Oil Burner	620-28-SA
Vapofier Oil Burner	184-34-SA
Vapomatic Oil Burner	275-34-SA
Vaporoil Burner	44-32-SA
Vitro-Heet Pressing Machine Burner, Model MD, Sizes KRF and KRF-1	354-34-SA
Vortex Oil Burner, Type V, Model No. 7	180-38-SA
Warner Oil Burner, Model A	16-34-SA
Webster Oil Burner, Model M	172-37-SA
Wheco Oil Burner	108-34-SA
White Heat Oil Burner	232-36-SA
Winslow Kleen Heet Burner, Models 805 and 820	19-25-SA
Wizard Automatic Oil Burner	181-33-SA
York Bake Oven Oil Burner	384-36-SA
York-Lalor Oil Burner	261-37-SA
Yorktown Oil Burner	166-33-SA
Yorktown Oil Burner, Model A	3-35-SA

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeal Room 1018, Municipal Building, Manhattan, at three cen each—postage to be added if the forms are forwarded b mail.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Notice of Adjournment.

The Hearing Calendar.

Paint, Varnish and Lacquer Spraying Rules.

Approved Paint, Varnish and Lacquer Spraying Equipment.

Factory Exit Rules.

Smoking in Factory, Rules.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to August 30, 1938

Cal. No.	*Department*	*Premises Affected*
729-38-BZ	H.B.Bx	3150-3158 Boston road, southeast corner of Laconia avenue (Block 4614, Lot 9), Borough of The Bronx, Alt. 445-38.
730-38-BZ	H.B.M	Northeast corner of Amsterdam avenue and West 187th street (Block 2149, Lot 108), Borough of Manhattan, Decision.
731-38-BZ	H.B.M	Northwest corner of East River drive and East 120th street (Block 1817, Lot 13), Borough of Manhattan, Applic. 79-38.
732-38-A	F.D.	321 East Tremont avenue, north side, 125.10 ft. east of Anthony avenue (Block 2814, Lot 17), Borough of The Bronx, 13041-L.C. and Decision.
733-38-SM		Ruberoid Built-up Roofing, Asphalt Shingles, Asbestos Shingles and Corrugated Asbestos Roofing, manufactured by The Ruberoid Company, Material.
734-38-SA		Water Closet Floor Flange and Gasket, Appliance.
735-38-SM		"Temple Brand" Foreign Portland Cement and "Seven Castles Brand" Foreign Portland Cement, Material.
736-38-BZ	H.B.M	25-53 West 48th street, west side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block 1264, Lot 10), Borough of Manhattan, N.B. 15-38.
737-38-BZ	H.B.Bx	1183 River avenue, west side, 100 ft. south of East 167th street (Block 2496, Lot 64), Borough of The Bronx, Decision.
738-38-BZ	H.B.B.	1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block 7656, Lot 55 and part of Lots 51, 54 and 58), Borough of Brooklyn Applic. 11746-38.
739-38-BZ	H.B.B.	880-900 Franklin avenue, west side, 25 ft. south of Carroll street (Block 1189, part of Lot 31), Borough of Brooklyn, Applic. 11845-38.
740-38-A	H.B.B.	South side of Linden boulevard, from New Jersey avenue to Pennsylvania avenue, 848-858 New Jersey avenue and 785-795 Pennsylvania avenue (Block 4347, part of Lot 1), Borough of Brooklyn, Applic. 11708-38.
741-38-A	H.B.Q.	175-10 Hillside avenue, southeast corner of 175th street (Block 9834, Lot 10), Jamaica, Borough of Queens, Alt. 5865-38.
742-38-BZ	H.B.Bx	3129 Perry avenue, west side, 110 ft. north of 204th street (Block 3341, Lots 26 and 27), Borough of The Bronx, Decision re: Alt. 235-24.
743-38-SM		Celcure Acid Cupric Chromate (Wood Preservative), manufactured by Celcure Southern Corporation, Material.
744-38-SM		Celcure Acid Cupric Chromate (Treated Lumber and Impregnated Lumber), manufactured by Celcure Southern Corporation, Material
745-38-A	H.B.B.	697 Gates avenue, north side, 2 ft. east of Sumner avenu (Block 1629, Lot 75), Borough of Brooklyn, Applic. 10099-38
746-38-SA		"Bennett" Pumps for Moto Fuels, Various Models, Appliance
747-38-SA		Phoenix (Wind-Driven) Tur bine Ventilator, Appliance
748-38-A	F.D.	506-516 Wortman avenue an 943-953 Essex street, south east corner (Block 4407, L 1), Borough of Brooklyn, 76143-L.C

DESIGNATIONS: H.B.—Department of Housing and Buil ings; **H.B.B.**—Department of Housing and Buildings, Brookly **H.B.M.**—Department of Housing and Buildings, Manhatta **H.B.Q.**—Department of Housing and Buildings, Queen **H.B.R.**—Department of Housing and Buildings, Richmon **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.B** Health Department and **F.D.**—Fire Department.

ADJOURNMENT

Notice is hereby given that the next regular meeting the Board of Standards and Appeals will be held on Tu day, September 13, 1938, *at* 10 *a.m.*

CALENDAR

SEPTEMBER 13, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September* 13, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 488-38-BZ—Application, June 14, 1938, under section 7a of the building zone resolution, of George A. Aliano, applicant, on behalf of Hatfield and Bell, Inc., owners, to permit in a residence use district, the alteration and extension of an existing soda manufacturing and bottling works; premises 317-323 97th street, north side, 132 ft. 3¼ in. east of Third avenue (Block No. 6122, Lot No. 62), Borough of Brooklyn.

CAL. NO. 400-38-BZ—Application, May 13, 1938, under section 21 of the building zone resolution of John Burke, applicant, on behalf of Mary A. Kenney, owner, to permit in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 339-349 Columbia street, east side, 150 ft. north of Coles street (Block No. 510, Lot No. 6), Borough of Brooklyn.

CAL. NO. 305-38-BZ—Application, April 23, 1938, under section 7e of the building zone resolution of Thomas M. Bell, applicant, on behalf of Dry Dock Savings Institution and George E. Coleman, owners, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 123-127 West 56th street, north side, 325 ft. west of Sixth avenue (Block No. 1009, Lot Nos. 17, 18 and 19), Borough of Manhattan.

CAL. NO. 403-37-BZ—Application, August 12, 1937, under section 7h of the building zone resolution of Max Silver, applicant and lessee, on behalf of Reproduction Furniture Manufacturing Co., Inc., owner, to permit in a business use district the parking and storage of more than five (5) motor vehicles, for a temporary period of two (2) years; premises 507-511 Sheffield avenue, east side, 40 ft. south of Livonia avenue (Block No. 3822, part of Lot No. 18), Borough of Brooklyn.

CAL. NO. 10-38-BZ—Application, January 6, 1938, under sections 7h and 21 of the building zone resolution of Kissena Amusement Corporation, applicant and lessee, on behalf of Stellbea Theatres Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 136-20 37th avenue, south side, 100 ft. east of Main street (Block No. 4978, Lot No. 9), Flushing, Borough of Queens.

CAL. NO. 5-28-BZ—Application of Paul Friedman, applicant, on behalf of Parkway Center Building Corporation, owner, reopened June 14, 1938, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station (previously denied); premises 384-388 Hawthorne street and 664-674 New York avenue, southwest corner (Block No. 4819, Lot No. 39), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 13, 1938, 2 P. M.

Appeals from Administrative Orders

306-38-A—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

568-38-A—632-636 West 28th street (Terminal Warehouse building); (Block No. 673, Lot No. 1), Borough of Manhattan.

Variation of Labor Law

562-38-S—62-68 18th street, south side, 325 ft. west of Third avenue (Block No. 632, Lot No. 4), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September* 13, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 8-34-BZ—Application of Walter R. Hart, applicant, on behalf of Fiske and Queens Realty Corporation, owner, reopened July 20, 1938, under section 21 of the building zone resolution, for consideration as to extension of permit—re Application, previously granted on condition, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period; premises northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 103-35-BZ—Application of Edgar Palmieri, applicant, on behalf of Louis Piccola and Angelo Dell' Abate, owners, reopened July 20, 1938, under section 21 of the building zone resolution, for consideration as to extension of permit—re Application, previously granted on condition, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period; premises 5001-5011 Flatlands avenue and 1869-1875 Utica avenue, northeast corner (Block No. 7798, Lot No. 33), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 20, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

CALENDAR

of the building zone resolution, *Tuesday morning, September* 20, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 469-38-BZ—Application, June 2, 1938, under section 21 of the building zone resolution, of Alfred H. Eccles, applicant, on behalf of Otto Grumbach, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 93-11 to 93-25 Rockaway boulevard and 103-28 to 103-36 94th street, northwest corner (Block No. 9114, Lot No. 19), Woodhaven, Borough of Queens.

CAL. NO. 605-37-BZ—Application, December 17, 1937, under sections 7h and 21 of the building zone resolution, of William C. Winters, applicant, on behalf of George I. Laird, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3008-3012 Fulton street and 233-241 Linwood street, southeast corner (Block No. 3956, Lot No. 43), Borough of Brooklyn.

CAL. NO. 583-38-BZ—Application, July 8, 1938, under section 7h of the building zone resolution of Harry Yahr, applicant, on behalf of The Mutual Life Insurance Company of New York, owner, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan.

CAL. NO. 389-29-BZ—Application of Scacchetti and Siegel, applicant, on behalf of 2356 Concourse Realty Corporation, owner, reopened June 14 1938 under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy of part of the first story of an apartment house from residence use to business use (stores); premises 2356-2366 Grand Concourse, 245 Field place, 2355-2365 Ryer avenue and 246 East 184th street (Block No. 3159, Lot Nos. 40 and 42), Borough of The Bronx.

CAL. NO. 574-38-BZ—Application, July 6, 1938, under sections 7b and 7c of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Melvin Y. Hard and Amelia Oberscheimer von de Driesch, owners, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a business building (Undertaking establishment); premises 175 Echo place, north side, 59.14 ft. west of Grand Concourse (Block No. 2808, Lot No. 24), Borough of The Bronx.

CAL. NO. 630-38-BZ—Application, July 15, 1938, under sections 7b, 7c and 7g of the building zone resolution, of Bethlehem Engineering Corporation, applicant, on behalf of Mutual Life Insurance Company, owner, to permit partly in a restricted retail use district and partly in a retail use district, the erection and maintenance of a building to be used as a motion picture theatre, a bus station and garage for more than five (5) motor vehicles; premises 118-134 Park avenue, west side from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan.

CAL. NO. 284-36-BZ—Application of William T. McCarthy, applicant on behalf of House of St. Giles the Cripple, owner, reopened July 8, 1938, under section 21 of the building zone resolution to permit partly in a "C" area district and partly in an "E" area district, the alteration and extension in height of an existing hospital building and the erection of additions thereto to occupy a greater area than permitted by the building zone resolution (previously acted upon by the board); premises 1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block No. 1285, Lot No. 7), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 20, 1938, 2 P. M.

Appeal from Administrative Order

639-38-A—4420-4424 Church avenue, southwest corner of East 45th street (Block No. 4898, Lot Nos. 10-12), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September* 20, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 8-33-BZ—Application of Joseph B. Lynch, applicant, on behalf of Colonial Beacon Oil Company, Inc., lessee, reopened July 22, 1938, for consideration as to amendment of resolution—re Application previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station; premises 184-39 to 184-53 Jamaica avenue, northwest corner of 185th street (Block No. 971 Lot No. 38), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 27, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, Sep*

CALENDAR

tember 27, 1938, at 10 o'clock, in Room 1013, Municipal Building on the following matters:

CAL. NO. 251-35-BZ—Application of Paul Friedman, applicant, on behalf of State Engineering Corporation and Cora Lay Waldron, owners, reopened May 17, 1938, under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a business building (stores); (previously denied under sections 7c and 21 of the building zone resolution); premises 2115-2119 Caton avenue, north side, 91 ft. west of Flatbush avenue (Block No. 5063, Lot No. 69), Borough of Brooklyn.

CAL. NO. 608-37-BZ—Application, December 21, 1937, under sections 7h and 21 of the building zone resolution of Patrick J. Keating, lessee, on behalf of First Methodist Episcopal Church, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 142-17 Roosevelt avenue, north side, 150.83 ft. east of Union street (Block No. 5020, Lot No. 49), Flushing, Borough of Queens.

CAL. NO. 609-37-BZ—Application, December 22, 1937, under section 7h of the building zone resolution of Grand Street Realty Corporation owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 91-02 168th street, west side, 150.72 ft. north of Jamaica avenue (Block No. 867, Lot Nos. 83, 85 and 86), Jamaica Borough of Queens.

CAL. NO. 549-38-BZ—Application, June 24, 1938, under section 21 of the building zone resolution, of Joseph M. Lonergan, on behalf of Bruno Bernabo, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 4729 Third avenue and 4730 Park avenue, southwest corner of East 189th street (Block No. 3041, Lot No. 47), Borough of The Bronx.

CAL. NO. 574-28-BZ—Application of George A. Boehm, applicant on behalf of Estate of Max Eisman, owner, reopened July 6, 1938, under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop (previously withdrawn); premises 1339 Jerome avenue (Macombs road), west side, 472.96 ft. south of West 170th street and 1338 Inwood avenue (Block No. 2856, Lot Nos. 9-10-49 and 50), Borough of The Bronx.

CAL. NO. 558-37-BZ—Application, November 26, 1937, under section 7h of the building zone resolution, of Michael Garozzo, applicant, on behalf of Druiss Co., Inc., owner, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 62-66 Henry street and 23-29 Market street, southwest corner (Block No. 277, Lot Nos. 24, 25, 26 and 27), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, ınd to all lawyers, architects and engineers representing ›wners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack ›f prosecution is likely to result.

Second, That due and ample notice of the date set for ıearing is provided in the publication in this BULLETIN of he calendars of the board, each case being set down by Calendar Number and premises under the date of the ıearing.

Third, That no plea of ignorance of the date of the ıearing can be entertained in view of this publication and ›f the posting of the calendars on the bulletin board in the offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendancy of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Copies of the Official Directory of the City of New ork for the year 1938 (The Little Green Book), containıg the latest authentic information in relation to City, tate and Federal Departments, Bureaus, Offices and Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932 AND REVISED, JULY 16, 1937, EFFECTIVE AUGUST 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 718-A, subdivision 3 of Chapter XIV-A of the Charter of the City of New York for the carrying into effect the provisions of Chapter 10, Article XV of the Code of Ordinances.

Rule 1. Application.

1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Chief and Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Chief and Commissioner may modify or waive these rules.

1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Department of Buildings before a permit is issued.

1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:

1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.

1.3.2 Which is artificially lighted by any means other than electricity.

1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.

2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.

2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.

2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Chief and Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Chapter 10, Article 15 of the Code of Ordinances and these Rules.

2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Chief and Commissioner, to store and use materials covered by Chapter 10, Article 15 of the Code of Ordinances and these Rules.

Rule 3. Ventilation.

3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of mists or vapors.

3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.

3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.

4.1.1 Spray, dip and immersing rooms shall be conconstructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be in conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.

4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch (¼) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48) inches in any linear dimension may be used in the sides of a spray booth or room.

4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.

4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.

4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.

4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.

4.1 7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.

4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.

4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter (¼") inch.

4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.

4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.

4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.

4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.

4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.

4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.

4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the authorities having jurisdiction.

4.4.1 Artificial lighting shall be only by means of electricity.

4 5 LIGHTING FIXTURES.

4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes, protected by wire guards.

4.5.2 All electrical equipment shall be installed and grounded as provided by Chapter 9 of the Code of Ordinances (Electrical Code) and permanently connected to their source of current supply, using metallic conduit.

4.5.3 No pin plug receptacles shall be used.

4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.

4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.

5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.

5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use.

5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.

5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.

5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.

5.7 Implements used for cleaning shall be made of nonferrous material to avoid sparks.

5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.

5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.

5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.

5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.

5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:

6.1.1 Spraying materials not in excess of 20 gallons may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.

6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.

6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.

6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.

6.1.6 Gravity feet material containers for supplying spray guns shall not exceed ten gallons capacity and shall be supported by wire cable or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.

6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.

6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

RULES

6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Sect. 235, Subdiv. 8, Chap. 10, Code of Ordinances.

6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.

6.4 Sprinkler heads in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Code of Ordinances as to violations reading as follows:

Section 300, Article 26, of Chapter 10, of the Code of Ordinances, "Any person who shall wilfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than $500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment."

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

(a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.

(b) No combustible material shall be stored or maintained within 15 feet of any spray booth.

(c) All stock shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

Rule **1.3** Heating of Rooms.
Rule **3.1** Air Exhaust System.
3.2 Air Supply and Mixing.
Rule **4.1** Construction of Spray Booths.
4.1.3 Surfacing of Booths.
4.1.5 Surfacing of Booths.
4.2.2 Maintenance of Ducts.
4.2.5 Electric Lighting.
4.2.6 Method of Induced Draft.
4.4 Separation of Booth from Flame.
4.4 Location of Motors.
Rule **5.1** Certificate of Fitness.
5.2 Smoking, Matches, etc.
5.6 Maintenance of Equipment.
5.7 Cleaning Implements.
5.9 Fire Appliances.
5.10 Accumulation and disposal of waste materials.
5.12 Motor Vehicles in booths or rooms.
Rule **6.** Storage and Mixing.
Rule **7.** General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

APPLIANCES

APPROVED PAINT, VARNISH AND LACQUER SPRAYING EQUIPMENT

utomatic Paint Sprayer.....477-37-SA.
inks-Hu-Ro-Thor-Hurley Spray Equipment...338-32-SA.
e Vilbiss Spray-Painting Equipment.....336-32-SA.
Eureka Paint Sprayer.....478-37-SA.
Paasche Spray Painting Equipment.....363-32-SA.
Spraco Spray Painting Equipment.....479-32-SA.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entled to one copy of Form 7NO.
If they desire additional copies, for their own convenice in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

FACTORY EXIT RULES ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 23, 1927, AND AMENDED JANUARY 15, 1932.

(64-27-SR)

STANDARD FACTORY EXITS

Section 1—Fire Escapes.

Rule 1. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, more than five stories in height and not exceeding nine stories in height, nor in any case more than 90 ft. from curb level to top floor level, one of the required means of exit or escape under Section 271-1 of the Labor Law may consist of an outside fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, labor law, and in addition thereto:

(1) The balconies and stairs shall be protected on the outside by substantial railings to a height of at least 4 ft. 6 in., measured from floor of balcony or center of stair tread, constructed of bars at least one-half (½) inch in diameter, spaced not more than six (6) inches on centers, or of substantial grille work, or of screening not less than No. 10 U. S. gauge wire with not more than one and one-half (1½) inch mesh, all rigidly braced;

(2) When there is safe egress from the roof of the building to any adjoining structure, the fire escape stairway shall continue to the roof, and if there be no safe means of egress, a gooseneck ladder shall be provided from the top story balcony to the roof.

(b) Any such fire escape erected prior to October 1, 1913, shall conform in every respect with the requirements of paragraph (a) of this rule, except that balconies may be not less than 3 feet in width; the connecting stairs not less than 20 inches in width, and placed at an angle not exceeding 60 degrees if the building is not over six stories in height, otherwise at an angle of 45 degrees.

Rule 2. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, five stories or less in height, one of the required means of exit under Section 271 of the Labor Law may consist of an outside iron fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, Labor Law.

(b) Existing fire escapes shall comply with all the provisions of Section 274, Labor Law and in addition thereto

(1) The balconies shall be not less than 3 feet in width.

(2) The rails around balconies and well holes and on stairways shall be not less than 3 feet in height.

(3) Passageways on the balconies shall be not less than 14 inches in the clear.

(4) At least one opening to each balcony shall be a single fireproof casement door at least 2 feet wide and at least 6 feet in height, except that where the distance between the sill and lintel will not permit of an opening 6 feet in height, a casement door not less than 4 ft. 6 in. in height will be permitted.

Rule 3. The single fireproof casement doors leading to all fire escape balconies shall open out and shall be self-closing. An easily operated door lock with knobs on both sides of the door shall be provided.

Such fire doors may be at window sill level if fixed iron step at least two feet wide, with risers not exceeding eight (8) inches, and treads not less than eight (8) inches are provided on the inside from floor level to sills properly secured.

Rule 4 (a). Any such fire escape erected subsequent to October 1, 1913, and prior to these rules taking effect, unless previously accepted as one of the required means of exit or escape by the administrative official having jurisdiction, shall conform in every respect to the provisions of these rules.

(b) A fire escape shall not hereafter be accepted as constituting one of the required means of exit or escape under Section 271-1 of the Labor Law, in any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, exceeding nine stories in height, or more than 90 feet from curb level to top floor level.

Rule 5. All fire escapes shall be maintained structurally safe, properly painted, and kept clear of all obstructions.

Section 2—Enclosure of Factory Stairways.

Rule 6. Except as herein provided, in all factory buildings five stories or less in height, erected prior to October 1, 1913, in which there are more than twenty-five persons employed above the second story, all interior stairways serving as required means of exit, and the landings, platforms and passageways connected therewith, shall be enclosed on all sides by partitions of fire-resisting material extending continuously from the lowest point of the stairway in accordance with the following schedule:

Number of stories	Contents combustible, no sprinkler	Contents non-combustible no sprinkler	Contents combustible, and sprinkler	Contents no combustible and sprinkle
Three	Stairways Enclosed			
Four	Stairways Enclosed	Stairways Enclosed		
Five	Stairways Enclosed	Stairways Enclosed	Stairways Enclosed	

The term "contents" as used above means articles, goods, wares and merchandise, packed, stored, manufactured or in the process of manufacture.

The term "combustible" as used above means articles, goods, wares or merchandise which will burn or support combustion.

The term "sprinkler" as used above means an adequate automatic sprinkler equipment installed and maintained in good working order on each floor.

The term "story" as used above means that part of a building between any floor and the floor or roof next above;—the first story is that part of a building which more than 50 per cent above the floor below and the first next above the curb or average grade level.

Where the stairways extends to the top floor of a building, such partitions shall extend to the under side of the roof boarding. That portion of the under side of roof beams within the stair enclosure shall be covered with fire-resisting material, except in buildings with roofs of non-combustible material, in which case the partitions may stop at the under side of he roof.

Where the stairway is required to extend to the roof the enclosure shall be so built as to form a bulkhead. The enclosure shall be ventilated by a skylight in the roof or louvres or ventilators, or exterior windows with ventilating sections at the top floor.

All openings in such partitions shall be provided with approved self-closing fire doors, except where such openings are in the exterior wall of the building.

The bottom of the enclosure shall be of fireproof material at least four inches thick unless the partition extends to the cellar bottom.

A horizontal exit, as defined in section 267 of the Labor Law, will be accepted as a compliance with this rule when both sides of the fire wall or walls are occupied on any factory floor by the same occupant.

Rule 7. Where there are occupancies on any story or part of a story involving the storage or use below the top story of the following materials and exceeding the amount specified, and there are more than 5 persons employed at manufacturing above such occupancy, the interior stairway serving as required means of egress shall be enclosed on that story with fire-resisting material from floor to under side of floor above, including any exposed stair soffits, landings and passageways; openings shall be provided with approved self-closing fire doors.

Nitrocellulose in any shape or form, 10 pounds.
Volatile inflammable oils, 1 gallon.
Volatile inflammable mixtures, 5 gallons.
Combustible mixtures, 10 gallons.
Paints, varnishes and lacquers, 10 gallons.
Upholstering or mattresses, manufacturing or repairing.
Cotton, rag and paper sorting, 1 ton.
Paper box manufacturing.
Restaurants and lunch rooms with cooking (not including tea, coffee or similar beverages).

The Board shall rule upon new occupanies as they arise and pass upon points under dispute.

When more than two stories are to be segregated, as above, the entire stairway shall be enclosed in fire-resisting material where there are more than 5 persons employed at manufacturing above the first story.

Rule 8. Required Exits and Enclosures of Stairways in Two-Story Factory Buildings.

1. Required Exits.—In every two-story factory building erected prior to October 1, 1913, in which more than five persons are employed at manufacturing, there shall be provided from each story at least two means of exit or escape from fire remote from each other, one of which from every floor above or below grade shall lead to or open on an interior stairway which shall be enclosed, as hereinafter provided, or on an exterior enclosed stairway. The other may lead to such a stairway, or to a horizontal or grade exit, or to an exterior screened stairway, or to a fire escape conforming to section 273, Labor Law, or rule 2 of these rules. Except that exit door shall be a fire door, with substantial steps to the sills properly secured when sill more than 8 inches above the floor level; and where there is no safe egress from the roof, a gooseneck ladder shall be provided from top balcony to the roof, except on the front of buildings.

Unobstructed egress from the foot of the fire escape or exterior screened stairway shall be as required by section 273, Labor Law, or to open adjoining yard with egress to the street. No point on any floor of such building shall be more than one hundred and fifty (150) feet distant from such an exit.

Rule 9. Enclosure of Stairways.—In two-story buildings where there are occupancies on any story or part of a story involving the storage or use below the top story of any of the materials exceeding the amounts specified in rule 7 and there are more than 5 persons employed at manufacturing above such occupancy, all interior stairways serving as required means of exit shall be enclosed from the lowest point of such stairway to the ceiling of the first floor by partitions of fire-resisting material, unless the building is provided with a wet sprinkler system, in which case such enclosure of stairways shall not be required. Such enclosures shall lead directly to a door opening outwardly to a street or road, or an open area affording unobstructed passage to a street or road. All openings in such enclosure shall be provided with fire doors equipped with self-closing devices.

All reference herein to "Enclosure of Stairways" shall be considered as applying only to required stairways.

Rule 10. Storage of Combustible Material Within Factory Stairway Enclosures.

In all factory buildings no articles or wares of any nature shall be kept or stored inside the limits of any stairway enclosure or unenclosed stairway, or on the landings, platforms or passageways connected therewith.

But this shall not prohibit the erection and maintenance of a stand to be built of incombustible material and wire glass or ¼-inch-thick plate glass for the retail sale of cigars, cigarettes and tobacco and candies in original packages or daily newspapers in the public hall or corridor on the first story of any building provided there is no open flame. All portions of the stand and any portion of any permitted accessory use to same shall be set back at least 18 inches from the outside line of travel of the required legal width of exit. Each such stand shall be provided with at least one approved 2½-gallon chemical fire extinguisher.

Section 3—Safe Egress from Roofs of Factory Buildings.

Rule 11. Interior stairways serving as required means of exit in factory buildings erected after October 1, 1913, and not exceeding five stories in height, and in buildings erected before October 1, 1913, now occupied or to be occupied as a factory, shall not be required to extend to the roof where there is no safe egress from the roof, under Sections 270, 271 and 272, Labor Law.

(a) When the roofs, or the top of the parapet wall of an adjoining building are more than eight feet below or more than five feet above the top of the parapet wall of the building in question, and there is no outside party wall fire escape, party wall exterior screened stairway, party wall balconies or bridges, or where any outside exits do not connect to adjoining buildings at roof level, or where there are no unbarred window openings five feet above the roof or parapet wall of the building in question.

(b) When the roof of the building in question has a pitch exceeding one foot in six feet of horizontal run.

Rule 12 (a). When there is no safe egress from the roof, as above described, there shall be in all cases at least a double-rung ladder at the top of the interior stairway, and within the interior stairway enclosure when stairway is enclosed. Such ladder shall be at least 18 inches in width and shall be properly secured at top and bottom. The ladder shall lead to a scuttle opening not less than 2 feet by 3 feet or be of such additional area as may be required to provide ample head room. The scuttle cover shall be hinged and of light weight construction, or be counter-balanced. An easily operated hook may be provided on scuttle cover.

(b) Where the stair bulkhead door opens within 10 feet from the open edge of the roof, an iron railing properly braced at least 3 feet high and at least 10 feet long shall be provided at the edge of roof.

SUBSTANDARD FACTORY EXITS

Section 4—Fire Escapes.

Rule 13. When in addition to the required exits from any factory or factory building, there exist other means of egress which are not entirely in accordance with the requirements of the Labor Law and the Rules of the Board of Standards and Appeals, such means of egress may be retained under the following conditions:

(a) Fire Escapes.—All substandard fire escapes on factory buildings shall be maintained, structurally safe, properly painted, and with the openings leading thereto, kept in good repair.

In lieu of a counter-balanced stairway, a drop ladder in guides with a back-drop gravity hook may be provided.

The drop ladder shall be of sufficient length to reach from the lowest balcony to the ground or safe landing place, with a passageway opening cut in the balcony rail, which rail shall be properly braced.

When such substandard fire escapes are located in a court, side or rear of a building, proper egress to a point of safety shall be provided, either to open adjoining yards, or the lowest balcony may be connected to an adjoining fire escape, exterior stairway, to the roof of adjoining extensions, or other means of egress satisfactory to the authorities having jurisdiction.

Substandard fire escapes shall be kept clear of all obstructions, shall not be used for fire drills, and shall not be considered as a basis for increase in occupancy.

Section 5—Stairways and Bridges.

Rule 14. Interior Stairways.—All interior stairways not conforming to the requirements of the Labor Law or rules of the Board of Standards and Appeals may be retained, provided that egress to same is maintained unobstructed, halls are properly lighted, and all landings, passageways, etc., are maintained free and unobstructed. An easily operated panic bolt or other similar device may be installed at street exit door.

Rule 15. Exterior Screened Stairways.—Exterior screened stairways not serving as a required means of egress shall be maintained structurally safe and properly pointed, exits thereto and all platforms and passageways thereof shall be maintained unobstructed, and egress from termination shall be provided as required for substandard fire escapes in subdivision a.

Rule 16. Horizontal Bridges.—Horizontal bridges and party wall balconies between buildings shall be maintained structurally safe and properly painted, and access thereto and all passageways thereof shall be maintained unobstructed.

Rule 17. No sign of any character shall be placed at openings leading to these substandard exits.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals, August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and he shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:—

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or equipped with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire-retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS
HARRIS H. MURDOCK, Chairman

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OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Notice of Adjournment.

The Hearing Calendar.

Paint, Varnish and Lacquer Spraying Rules.

Approved Paint, Varnish and Lacquer Spraying Equipment.

Factory Exit Rules.

Smoking in Factory, Rules.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to September 6, 1938

Cal. No. *Department* *Premises Affected*

749-38-SM.....Zenitherm (floor and wall covering) manufactured by Zenitherm Products. Inc, Material.

750-38-SA.....C-7830 Vacuum Breakers for Supply Fixtures, sizes ⅜, ½, ¾, 1, 1¼, 1½, 2, 2½ and 3 in., Appliance.

751-38-A.....F.D.....166-36 to 166-40 Jamaica avenue, southwest corner of 168th street (Block 1169, Lot 14), Jamaica), Borough of Queens, 714-L. F.

752-38-A.....F.D.....100-102 Lawrence street and 78-84 Myrtle avenue, southwest corner (Block 147, Lot 22), Borough of Brooklyn, 424-L. F.

753-38-SA.....Fairfield Diesel Oil Burner, Appliance.

754-38-A.....H.B.B.....32 Hart street, south side, 329 ft. east of Nostrand avenue (Block 1770, Lot 25), Borough of Brooklyn, Applic. 10475-38.

755-38-BZ.....H.B.Bx....890 Dawson street and 935 Intervale avenue, southwest corner (Block 2702, Lot 41), Borough of The Bronx, Decision.

756-38-SA.....Ludwig Werner Hot Water Boiler (sterilizer), Appliance.

757-38-SM.....Dehydratine No. 10 Semi- manufactured by A. C. Horn Co., Material.

758-38-A.....F.D.....341 Broadway, west side, 83 ft. 5 in. north of Worth street (Block No. 1173, Lot No. 30), Borough of Manhattan, 921-L.F. & Decision.

759-38-SA.....Kinnear Steel Rolling Door for Horizontal Escalator Openings, Appliance.

760-38-A.....F.D.....1245-1269 York avenue, west side, from East 67th to East 68th streets (Block 1642, Lots 1-44), Borough of Brooklyn, Decision.

761-38-A.....F.D.....118 Chambers street, south side, 124 ft. 11½ in. west of Church street (Block 136, Lot 23), Borough of Manhattan, 1861-L. F.

762-38-BZ.....H.B.Bx....1670-1716 Southern boulevard, east side, 50 ft. south of East 174th street (Block 2983, Lots 7, 11, 15 and 16), Borough of The Bronx, Decision.

763-38-BZ.....H.B.M.....728-744 Second avenue, east side, 24.8 ft. south of East 40th street and 303 East 39th street (Block 945, Lots 1, 4 and 6), Borough of Manhattan, Decision.

764-38-BZ.....H.B.Bx....787-795 Lydig avenue, northwest corner of Barnes avenue (Block 4321, Lot 1), Borough of The Bronx, N. B. 338-38.

765-38-BZ.....H.B.M.....526-528 East 14th street, south side, 245 ft. west of Avenue B (Block 407, Lots 21 and 22), Borough of Manhattan, Decision.

766-38-A.....F.D.....402-412 Bleecker street and 291 West 11th street, northwest corner (Block 623, Lots 8 and 10), Borough of Manhattan, 1866-L. F.

767-38-A .....H.B.B.....10-24 Dwight street, 5-21 Delevan street, southwest corner, 20-28 Verona street, Northwest corner (Block 523, Lot 18), Borough of Brooklyn, Viol. 4004-38.

768-38-A.....F.D.....526-540 West 46th street, south side, 275 ft. east of 11th avenue (Block 1074, Lot 49), Borough of Manhattan, 1938-L. F.

769-38-A.....F.D.....295-303 Lafayette street, 35-39 East Houston street, 7-17 Jersey street and 271-293 Mulberry street (Block 510, Lot 45), Borough of Manhattan, 12694-L. C. & Decision.

770-38-BZ.....H.B.Q.....109-61 to 109-73 Van Wyck boulevard and 109-118 to 109-13(Lincoln avenue, northeast corner (Block 10066, Lot 1), Jamaica, Borough of Queens, N.B. 5900-38

771-38-BZ.....H.B.M.....204 West 65th street, south side 50 west of Amsterdam avenu (Block 1156, Lot 36), Borough of Manhattan, Decisio

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772-38-BZ.....H.B.M.....281-289 9th avenue and 402-41 West 27th street, southwe corner (Block 724, Lot 36 Borough of Manhattan, Applic. 1924-3

CALENDAR

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department and F.D.—Fire Department.

ADJOURNMENT

Notice is hereby given that the next regular meeting of the Board of Standards and Appeals will be held on Tuesday, September 13, 1938, *at* 10 *a.m.*

SEPTEMBER 13, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September* 13, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 488-38-BZ—Application, June 14, 1938, under section 7a of the building zone resolution, of George A. Aliano, applicant, on behalf of Hatfield and Bell, Inc., owners, to permit in a residence use district, the alteration and extension of an existing soda manufacturing and bottling works; premises 317-323 97th street, north side, 132 ft. 3¼ in. east of Third avenue (Block No. 6122, Lot No. 62), Borough of Brooklyn.

CAL. NO. 400-38-BZ—Application, May 13, 1938, under section 21 of the building zone resolution of John Burke, applicant, on behalf of Mary A. Kenney, owner, to permit in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 339-349 Columbia street, east side, 150 ft. north of Coles street (Block No. 510, Lot No. 6), Borough of Brooklyn.

CAL. NO. 305-38-BZ—Application, April 23, 1938, under section 7e of the building zone resolution of Thomas M. Bell, applicant, on behalf of Dry Dock Savings Institution and George E. Coleman, owners, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 123-127 West 56th street, north side, 325 ft. west of Sixth avenue (Block No. 1009, Lot Nos. 17, 18 and 19), Borough of Manhattan.

CAL. NO. 403-37-BZ—Application, August 12, 1937, under section 7h of the building zone resolution of Max Silver, applicant and lessee, on behalf of Reproduction Furniture Manufacturing Co., Inc., owner, to permit in a business use district the parking and storage of more than five (5) motor vehicles, for a temporary period of two (2) years; premises 507-511 Sheffield avenue, east side, 40 ft. south of Livonia avenue (Block No. 3822, part of Lot No. 18), Borough of Brooklyn.

CAL. NO. 10-38-BZ—Application, January 6, 1938, under sections 7h and 21 of the building zone resolution of Kissena Amusement Corporation, applicant and lessee, on behalf of Stellbea Theatres Corporation, owner, to permit in a business use district the parking of more than five (5) motor vehicles; premises 136-20 37th avenue, south side, 100 ft. east of Main street (Block No. 4978, Lot No. 9), Flushing, Borough of Queens.

CAL. NO. 5-28-BZ—Application of Paul Friedman, applicant, on behalf of Parkway Center Building Corporation, owner, reopened June 14, 1938, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station (previously denied); premises 384-388 Hawthorne street and 664-674 New York avenue, southwest corner (Block No. 4819, Lot No. 39), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 13, 1938, 2 P. M.

Appeals from Administrative Orders

306-38-A—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

568-38-A—632-636 West 28th street (Terminal Warehouse building); (Block No. 673, Lot No. 1), Borough of Manhattan.

704-38-A—142 West 46th street, south side, 295 ft. east of Broadway (Block No. 998, Lot No. 52½), Borough of Manhattan.

709-38-A—100 Greenwich street, west side, 59 ft. north of Rector street (Block No. 53, Lot No. 38), Borough of Manhattan.

710-38-A—416 Pleasant avenue, southeast corner of East 122nd street (Block No. 1818, Lot. No. 24), Borough of Manhattan.

725-38-A—38-02 22nd street, southwest corner of 38th avenue (Block No. 391, Lot No. 18), Long Island City, Borough of Queens.

745-38-A—697 Gates avenue, north side, 25 ft. east of Sumner avenue (Block No. 1629, Lot No. 75), Borough of Brooklyn.

773-38-A—1601-1607 Third avenue, northeast corner of East 90th street (Block No. 1536, Lot No. 1), Borough of Manhattan.

Variation of Labor Law

562-38-S—62-68 18th street, south side, 325 ft. west of Third avenue (Block No. 632, Lot No. 4), Borough of Brooklyn.

671-38-S—499-507 Carroll street, north side, 200 ft east of Third avenue (Block No. 49, Lot Nos. 13 and 18), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September* 13, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:

CALENDAR

CAL. NO. 8-34-BZ—Application of Walter R. Hart, applicant, on behalf of Fiske and Queens Realty Corporation, owner, reopened July 20, 1938, under section 21 of the building zone resolution, for consideration as to extension of permit—re Application, previously granted on condition, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period; premises northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 103-35-BZ—Application of Edgar Palmieri, applicant, on behalf of Louis Piccola and Angelo Dell' Abate, owners, reopened July 20, 1938, under section 21 of the building zone resolution, for consideration as to extension of permit—re Application, previously granted on condition, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period; premises 5001-5011 Flatlands avenue and 1869-1875 Utica avenue, northeast corner (Block No. 7798, Lot No. 33), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 20, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September* 20, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 469-38-BZ—Application, June 2, 1938, under section 21 of the building zone resolution, of Alfred H. Eccles, applicant, on behalf of Otto Grumbach, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 93-11 to 93-25 Rockaway boulevard and 103-28 to 103-36 94th street, northwest corner (Block No. 9114, Lot No. 19), Woodhaven, Borough of Queens.

CAL. NO. 605-37-BZ—Application, December 17, 1937, under sections 7h and 21 of the building zone resolution, of William C. Winters, applicant, on behalf of George I. Laird, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3008-3012 Fulton street and 233-241 Linwood street, southeast corner (Block No. 3956, Lot No. 43), Borough of Brooklyn.

CAL. NO. 583-38-BZ—Application, July 8, 1938, under section 7h of the building zone resolution of Harry Yahr, applicant, on behalf of The Mutual Life Insurance Company of New York, owner, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan.

CAL. NO. 389-29-BZ—Application of Scacchetti and Siegel, applicant, on behalf of 2356 Concourse Realty Corporation, owner, reopened June 14 1938 under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy of part of the first story of an apartment house from residence use to business use (stores); premises 2356-2366 Grand Concourse, 245 Field place, 2355-2365 Ryer avenue and 246 East 184th street (Block No. 3159, Lot Nos. 40 and 42), Borough of The Bronx.

CAL. NO. 574-38-BZ—Application, July 6, 1938, under sections 7b and 7c of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Melvin Y. Hard and Amelia Oberscheimer von de Driesch, owners, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a business building (Undertaking establishment) premises 175 Echo place, north side 59.14 ft. west of Grand Concourse (Block No. 2808, Lot No. 24), Borough of The Bronx.

CAL. NO. 630-38-BZ—Application, July 15, 1938, under sections 7b, 7c and 7g of the building zone resolution, of Bethlehem Engineering Corporation, applicant, on behalf of Mutual Life Insurance Company, owner, to permit partly in a restricted retail use district and partly in a retail use district, the erection and maintenance of a building to be used as a motion picture theatre, a bus station and garage for more than five (5) motor vehicles; premises 118-134 Park avenue, west side from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan.

CAL. NO. 284-36-BZ—Application of William T. McCarthy applicant on behalf of House of Giles the Cripple, owner, reopened July 8, 1938, under section 21 of the building zone resolution to permit partly in a "C" area district and partly in an "E" area district, the alteration and extension in height of an existing hospital building and the erection of additions thereto to occupy a greater area than permitted by the building zone resolution (previously acted upon by the board); premises 1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block No. 1285, Lot No. 7), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

SEPTEMBER 20, 1938, 2 P. M.

Appeal from Administrative Order

639-38-A—4420-4424 Church avenue, southwest corner of East 45th street (Block No. 4898, Lot Nos. 10-12), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September* 20, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 8-33-BZ—Application of Joseph B. Lynch, applicant, on behalf of Colonial Beacon Oil Company, Inc., lessee, reopened July 22, 1938, for consideration as to amendment of resolution—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station; premises 184-39 to 184-53 Jamaica avenue, northwest corner of 185th street (Block No. 971, Lot No. 38), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 27, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September* 27, 1938, at 10 o'clock, in Room 1013, Municipal Building on the following matters:

CAL. NO. 251-35-BZ—Application of Paul Friedman, applicant, on behalf of State Engineering Corporation and Cora Lay Waldron, owners, reopened May 17, 1938, under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a business building (stores); (previously denied under sections 7c and 21 of the building zone resolution); premises 2115-2119 Caton avenue, north side, 91 ft. west of Flatbush avenue (Block No. 5063, Lot No. 69), Borough of Brooklyn.

CAL. NO. 608-37-BZ—Application, December 21, 1937, under sections 7h and 21 of the building zone resolution of Patrick J. Keating, lessee, on behalf of First Methodist Episcopal Church, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 142-17 Roosevelt avenue, north side, 150.83 ft. east of Union street (Block No. 5020, Lot No. 49), Flushing, Borough of Queens.

CAL. NO. 609-37-BZ—Application, December 22, 1937, under section 7h of the building zone resolution of Grand Street Realty Corporation owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 91-02 168th street, west side, 150.72 ft. north of Jamaica avenue (Block No. 867, Lot Nos. 83, 85 and 86), Jamaica Borough of Queens.

CAL. NO. 549-38-BZ—Application, June 24, 1938, under section 21 of the building zone resolution, of Joseph M. Lonergan, on behalf of Bruno Bernabo, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 4729 Third avenue and 4730 Park avenue, southwest corner of East 189th street (Block No. 3041, Lot No. 47), Borough of The Bronx.

CAL. NO. 574-28-BZ—Application of George A. Boehm, applicant on behalf of Estate of Max Eisman, owner, reopened July 6, 1938, under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop (previously withdrawn); premises 1339 Jerome avenue (Macombs road), west side, 472.96 ft. south of West 170th street and 1338 Inwood avenue (Block No. 2856, Lot Nos. 9-10-49 and 50), Borough of The Bronx.

CAL. NO. 558-37-BZ—Application, November 26, 1937, under section 7h of the building zone resolution, of Michael Garozzo, applicant, on behalf of Druiss Co., Inc., owner, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 62-66 Henry street and 23-29 Market street, southwest corner (Block No. 277, Lot Nos. 24, 25, 26 and 27), Borough of Manhattan.

CAL. NO. 74-37-BZ—Application of A. J. Simberg, applicant on behalf of Benjamin Lazaroff, owner, reopened August 16, 1938, re Application (decision of the commissioner of buildings) under sections 7a, 7c and 21 of the building zone resolution, permitting in a residence use district, the extension of an existing business use, and also the omission of the required rear yards; premises 255 West 18th street, north side, 100 ft. east of Eighth avenue (Block No. 768, Lot No. 7), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

RULES

RULES GOVERNING THE USE OF EQUIPMENT FOR SPRAYING OF PAINTS, VARNISHES, LACQUERS AND OTHER FLAMMABLE SURFACE COATINGS

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 10, 1932 AND REVISED, JULY 16, 1937, EFFECTIVE AUGUST 16, 1937.

[353-30-SR]

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 718-A, subdivision 3 of Chapter XIV-A of the Charter of the City of New York for the carrying into effect the provisions of Chapter 10, Article XV of the Code of Ordinances.

Rule 1. Application.

1.1 No person, firm or corporation shall SPRAY, DIP or IMMERSE any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other inflammable or combustible substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes except in conformance with these rules, and under a permit issued by the Fire Chief and Commissioner. Where the quantity of spraying material used in a day does not exceed two (2) quarts, the Fire Chief and Commissioner may modify or waive these rules.

1.2 APPLICATIONS. Application for the required permit to store and use the above-mentioned articles shall be made to the Fire Chief and Commissioner on forms prescribed by him and shall contain such information as he may require. When a spray, dipping, immersing, storage or mixing room is to be installed, plans shall be filed with the Department of Buildings before a permit is issued.

1.3 RESTRICTIONS. No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:

1.3.1 Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.

1.3.2 Which is artificially lighted by any means other than electricity.

1.3.3 Which is heated by other than the use of steam or hot water circulating systems.

Rule 2. Definitions.

2.1 The term "SPRAY or SPRAYING SPACE," "DIPPING SPACE or IMMERSING SPACE" when used in these rules shall mean that portion of the premises used for the actual work of spraying, dipping or immersing any article or thing with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds, commonly used for painting, varnishing, staining or similar purposes in any booth or room approved.

2.2 The term "CABINET BOOTH" when used in these rules shall mean a compartment with a back, top and two sides equipped with air exhaust facilities, located within a room or any portion of any premises where spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.3 The term "CANOPY BOOTH or HOOD" when used in these rules shall mean an installation consisting of a metal canopy or hood, without any side or end panels enclosing the object sprayed and an air exhaust system under which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.4 The term "TUNNEL BOOTH" when used in these rules shall mean a compartment consisting of two sides and top, equipped with an air exhaust system in which spraying with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.5 The term "SPRAY ROOM" when used in these rules shall mean a fully enclosed room approved for such use in which any article or thing is sprayed by any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.6 The term "DIPPING ROOM" when used in these rules shall mean a fully-enclosed room approved for such use in which any article or thing is dipped spread or immersed in any flammable paints, varnishes, lacquers or any other flammable substances mixtures or compounds commonly used for painting, varnishing, staining or similar purposes is carried on.

2.7 The term "FIREPROOF or FIRE-RESISTING PARTITIONS" used in these rules shall mean the standards set in the Labor Law and the Rules of the Board of Standards and Appeals for factory buildings. All openings in this type of partition shall only be equipped with self-closing, fireproof doors.

2.8 The term "STORAGE ROOM" when used in these rules shall mean a fully-enclosed room used for the storage and mixing of any inflammable paints, varnishes, lacquers or any flammable substances mixtures or compounds commonly used for painting, varnishing, staining or similar purposes.

2.9 The term "CERTIFICATE OF FITNESS" when used in these rules shall mean the written permission granted by the Fire Chief and Commissioner to an individual to supervise and handle spraying, dipping and immersing materials and equipment, in accordance with the provisions of Chapter 10, Article 15 of the Code of Ordinances and these Rules.

2.10 The term "PERMIT" when used in these rules shall mean the written permission issued to a person, firm or corporation by the Fire Chief and Commissioner, to store and use materials covered by Chapter 10, Article 15 of the Code of Ordinances and these Rules.

Rule 3. Ventilation.

3.1 Spraying or dipping spaces shall be ventilated when in operation so that the movement of air shall be at least one hundred (100') linear feet per minute in the breathing zone of the operator and be of sufficient capacity to prevent the accumulation of fumes or vapors.

3.2 Air shall be admitted to the spraying, dipping or immersing spaces in an amount equal to the capacity of the fan or fans and in such a manner as to avoid short-circuiting the path of air in the working zone of such spaces. Exhaust fans shall be kept running constantly while spraying or mixing and for a sufficient length of time thereafter to exhaust all vapors, fumes or residues of spraying materials from the spray booth or spray room.

3.3 EQUIPMENT. Motors shall be located outside of spraying, dipping or immersing spaces except as provided in Rule 4.

Rule 4. Specifications for Spray Booths, Spray Rooms and Dip Rooms.

4.1 Spray booths shall be constructed of metal or incombustible material satisfactory to the administrative official having jurisdiction, be adequately ventilated with mechanical ventilation; if lighted to be in conformity with these rules. The necessary fire protection shall be maintained at all times.

4.1.1 Spray, dip and immersing rooms shall be conconstructed of fireproof or fire-resisting partitions with waterproof floors, adequately ventilated by mechanical means, equipped with the necessary fire protection; if lighted and heated to be in conformity with these rules. Floor drains leading to the house drainage system or the public sewer, shall not be permitted. Where more than sixty (60) gallons of material in open tanks are used, a drain to an approved tank located outside the building shall be provided.

4.1.2 Panels of polished wired glass or plate glass at least one-quarter of an inch (¼) thick, not exceeding seven hundred and twenty (720) square inches in area and not more than forty-eight (48) inches in any linear dimension may be used in the sides of a spray booth or room.

4.1.3 The inner sides of walls, ceilings and the floors of all spraying or dipping spaces shall have a smooth surface.

4.1.4 All openings in spray, dip or immersing rooms shall be protected by fireproof doors. Only windows opening to a street may be permitted or a window not on a lot line more than 20 ft. distant from windows of adjacent buildings not in same plane may be used for ventilation.

4.1.5 Ferrous metal used in the construction of spraying, dipping or immersing spaces shall be thoroughly painted on the inside or be galvanized.

4.1.6 All spraying, dipping or immersing spaces shall be so constructed that a reasonable length longer is maintained than required for the article or thing to be sprayed, dipped or immersed. Ferrous metal shall not be used for such floor surface.

4.1.7 At least three (3) feet of clear working space shall always be maintained for each operator spraying, dipping or immersing any article or thing.

4.2 SPECIFICATIONS FOR DUCTS, PIPES AND FANS.

4.2.1 All ducts used for ventilating, spray, dip or immersing spaces shall be constructed of metal of not less than the following gauges of metal.

Ducts twenty-four (24") inches or less in diameter No. 22 gauge.

Ducts over twenty-four (24") inches and not over thirty-six (36") inches in diameter No. 20 gauge.

Ducts exceeding thirty-six (36") inches in diameter No. 18 gauge.

4.2.2 Ducts shall be strongly constructed and be installed in a workmanlike manner. They shall be rigidly supported.

4.2.3 Ventilating ducts shall run as directly as practicable to the outer air and be protected with a hood against the weather. The exhaust terminal or hood shall also be protected with a screen of copper or bronze with a mesh not larger than one-quarter (¼") inch.

4.2.4 Where a duct passes through a non-fireproof roof, the duct shall be protected at such point by an outer pipe or sleeve with an air space of at least one (1") inch between the sleeve and duct. The outer pipe shall be not less than two (2") inches from any woodwork and such woodwork shall be covered with metal.

4.2.5 Ventilating ducts shall not terminate within ten (10) feet measured horizontally of any chimney outlet, unprotected air intakes or of any door or window in an adjoining building.

4.2.6 If induced draft is used to create an air movement, the air shall be supplied from a point outside the spray or dip or immersing space. Fans and motor must be located outside the spray or dip space, except approved explosion-proof motor and non-ferrous blade fans.

4.2.7 The exhaust system from any spray, dip or immersing space shall not be connected to any other ventilating system or be discharged into a chimney or flue used for the purpose of conveying gases of combustion.

4.2.8 Exhaust fan blades shall be constructed of non-ferrous metal. All exhaust and ventilating fans to be permanently connected to their source of power, using metallic conduit. Rheostats in fan bases not permitted. Fan blades not coming in direct contact with spraying fumes, need not comply with this requirement.

4.3 Storage rooms shall be constructed of fireproof or fire-resisting partitions with waterproof floors and be adequately ventilated by either natural or mechanical means.

4.4 No motors, switches, rheostats, lamps or other electrical equipment shall be located in spray, dipping or immersing rooms or within ten (10) feet of any spray compartment, spray booth, immersing or dipping space unless such electrical equipment be of a type approved for use in explosive atmospheres and where a conduit leads from a hazardous location to a non-hazardous location, the conduit shall be sealed off by an approved sealing compound. Except that alternating current induction motors of the totally enclosed type, having no brushes, make and break contacts, collectors or other arcing or sparking parts may be located within ten (10) feet of a spray booth, spray compartment or dipping space when approved by the authorities having jurisdiction.

4.4.1 Artificial lighting shall be only by means of electricity.

4.5 LIGHTING FIXTURES.

4.5.1 When lighting fixtures are located within 10 feet of a spray booth, spraying compartment or dipping space, they shall be of the rigid stem type, enclosing all wiring and be equipped with keyless sockets having vaporproof globes, protected by wire guards.

4.5.2 All electrical equipment shall be installed and grounded as provided by Chapter 9 of the Code of Ordinances (Electrical Code) and permanently connected to their source of current supply, using metallic conduit.

4.5.3 No pin plug receptacles shall be used.

4.5.4 All electric light wiring shall be enclosed in metal conduits and shall conform to Rule 4.4.

4.5.5 The use of portable cords or trailer lights are prohibited.

Rule 5. Maintenance and Operation.

5.1 Every premises wherein a spraying, dipping, or immersing space is maintained and operated shall be continuously under the charge and supervision of one or more persons holding a certificate of fitness, whose duty shall be to see that the spray, dipping and immersing space rules and the terms of the permit are not violated. No other duties shall interfere with the enforcement of these rules.

5.2 Smoking or the carrying of lighted cigars, cigarettes or pipes in spray, dipping or immersing space is prohibited.

5.3 No person shall be permitted within a spray space between the spray gun and the exhaust outlet while the spray gun is in use

5.4 Spraying, dipping or immersing spaces and its surroundings shall be kept clean at all times and shall be kept clear of all materials, equipment and utensils not required in the operation of the spray. Side walls, ceilings, baffle plates, etc., shall be sprayed with soap and water solution, before cleaning, or cardboard or masking paper can be fastened before any operation and after said operation be removed from the premises in approved waste cans.

5.5 Floors within and surrounding spray, dip or immersing spaces shall be kept clean and free from waste material at all times.

5.6 Spray rooms, booths, fans, ducts, and other equipment shall be cleaned frequently and maintained in clean and efficient working condition; lacquer spraying booths shall be wet down before cleaning.

5.7 Implements used for cleaning shall be made of non-ferrous material to avoid sparks.

5.8 Metal waste cans with self-closing covers shall be provided for all spraying, dipping or immersing spaces and storage rooms. The number to be installed shall be determined by the administrative official having jurisdiction.

5.9 Approved fire appliances shall be installed in all spraying, dipping or immersing spaces and in storage rooms as may be determined by the administrative official having jurisdiction.

5.10 Accumulation of flammable waste, sweepings or deposits from spray, dip or immersing space is prohibited. All such waste shall be placed in approved waste cans and be removed from the premises at the close of work each day.

5.11 All sand papering of lead painted surfaces shall be done with wet sand paper.

5.12 No motor vehicle shall be taken into or out of a spray space under its own power. Batteries shall be removed before the process of spraying is begun.

Rule 6. Storage and Mixing.

6.1 Main supplies of spray coating materials and thinners shall be kept in an outside storage building, storage rooms or in vented metal cabinets in accordance with the following amounts:

6.1.1 Spraying materials not in excess of 20 gallons may be stored in metal cabinets or wood cabinets, metal covered on both sides including the door. All cabinets to be ventilated at top and bottom.

6.1.2 Spraying materials in excess of 20 gallons and not exceeding 100 gallons may be stored in double-walled metal cabinets vented directly to the outer air.

6.1.3 Spraying materials in excess of 100 gallons shall be stored in a separate exterior storage building of fireproof or fire-resisting material with ventilated plain glass skylight or in a storage room constructed fireproof in a fireproof building or fire-resisting in a non-fireproof building. The maximum amount of spraying materials to be stored in a storage room of a non-fireproof building shall be determined by the administrative official. Storage rooms shall have a window opening to the outer air but such window shall not be on a lot line, enclosed court, nor opposite within twenty feet of windows of adjacent buildings nor part of the same premises, such window openings to be fireproofed and lower half provided with open louvres or ventilated by metal duct or fan at least 8 inches in diameter. The floors of all storage rooms shall be waterproof up to a height of at least 6 inches from the floor and be properly pitched for drainage purposes to a low point within the enclosure. Any drain in such storage room shall not be connected to the house drainage system or street sewer. The sill of the door shall be at least 6 inches above the finished floor. All doors to be tin-clad, approved, fireproof and self-closing.

6.1.4 Mixing or thinning of coating materials shall be conducted in a storage building or storage room, except that containers of total capacity not exceeding ten gallons may be opened and their contents mixed in the spray room or room in which booths are located while the air exhaust system is operating.

6.1.5 Working supplies sufficient for not more than one day's use but not exceeding twenty gallons to each booth, nor a total of one hundred gallons, may be kept in the spray room or room in which spray booths are located; covers of containers must be kept thereon when such containers are not actually in use. This amount is in addition to the amount allowed in 6.1.7.

6.1.6 Gravity feet material containers for supplying spray guns shall not exceed ten gallons capacity and shall be supported by wire cable or metal brackets having a factor of safety of two when filled with the heaviest spraying materials used.

6.1.7 Pressure feed tanks and other equipment for use in connection with direct spraying under air pressure shall be restricted to tanks of not more than sixty gallons, individual capacity, designed, constructed and approved for this specific purpose by the Board of Standards and Appeals. Each tank shall be provided with a safety valve set at a pressure not exceeding eighty pounds. All gravity feed containers and other spraying equipment shall be approved as above.

6.1.8 The installation of all electrical wiring, switches, lighting and all other electrical equipment, and the provisions of these rules against carrying matches or smoking and prohibiting flame or spark-producing devices, shall also apply to storage or mixing rooms.

RULES

6.2 STORAGE of spraying, dipping and immersing materials shall not be in excess of two hundred (200) gallons in a storage room, but in a building in which nitro cellulose products are manufactured, stored or kept the amount shall be not over twenty-five (25) gallons as per Sect. 235, Subdiv. 8, Chap. 10, Code of Ordinances.

6.3 Sprinkler heads shall be provided in all spray, dip or immersing spaces and storage rooms and shall be installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, except in non-sprinklered buildings where sprinkler connection may be made to the house water supply.

6.4 Sprinkler heads in spray, dip and immersing spaces shall be cleaned at least once a week under the supervision of the person holding the certificate of fitness and a coating of light grease or vaseline shall be applied after each cleaning to prevent the formation of a hard deposit and render the sprinkler useless in case of fire. The use of paper bags or other materials about sprinkler heads is prohibited.

Rule 7. General Requirements.

Notice—Attention is called to the provisions of the Code of Ordinances as to violations reading as follows:

Section 300, Article 26, of Chapter 10, of the Code of Ordinances, "Any person who shall wilfully violate or neglect or refuse to comply with any of the provisions of this chapter in addition to any other penalties prescribed by law or ordinance shall, upon conviction, be punished by a fine of not more than $500 or by imprisonment not exceeding 6 months, or by both such fine and imprisonment."

NOTE:—The principal cause of fires in spray-booth installations are: broken electric lamps and other electrical defects; cleaning the interior of booths, fans and motors with highly flammable solvents; accumulation of deposits in the tubes and vent pipes from neglect in cleaning them frequently; unnecessary accumulation of waste and refuse, smoking and a general lack of cleanliness.

(a) "No Smoking" signs, with letters at least 2 inches in height, shall be posted in all spray rooms and paint storage rooms or building.

(b) No combustible material shall be stored or maintained within 15 feet of any spray booth.

(c) All stock shall be arranged so as not to interfere with the operation of automatic sprinkler heads.

Rule 8. Existing Spray Booths and Installations.

These rules shall be retroactive in the following respects:

Rule **1.3** Heating of Rooms.
Rule **3.1** Air Exhaust System.
3.2 Air Supply and Mixing.
Rule **4.1** Construction of Spray Booths.
4.1.3 Surfacing of Booths.
4.1.5 Surfacing of Booths.
4.2.2 Maintenance of Ducts.
4.2.5 Electric Lighting.
4.2.6 Method of Induced Draft.
4.4 Separation of Booth from Flame.
4.4 Location of Motors.
Rule **5.1** Certificate of Fitness.
5.2 Smoking, Matches, etc.
5.6 Maintenance of Equipment.
5.7 Cleaning Implements.
5.9 Fire Appliances.
5.10 Accumulation and disposal of waste materials.
5.12 Motor Vehicles in booths or rooms.
Rule **6.** Storage and Mixing.
Rule **7.** General Requirements.

NOTE:—Rules 6.1, 6.2, 6.3 and 6.4 may not be applied in fireproof buildings equipped with an approved existing automatic sprinkler system where the general conditions of cleanliness are properly maintained at all times.

Rule 9. Approval Forms and Plans.

There shall be filed before installation with the administrative official by the purchaser (or by the seller thereof) an application form on sheet 8 inches by 10 inches, which form shall give the proper name and address of booth user and also the floor on which the booth or booths are to be installed. An ink drawing of the floor upon which the booth will be located shall be submitted on the form sheet; such drawing shall show by feet and inches the location of exits, chimneys and booths.

When a storage and mixing room is to be installed, plans drawn to a scale of at least 1/16 of an inch to a foot shall be filed with the administrative official for examination and approval. Such plan shall show on the floor plan the location of all booths, storage and mixing rooms, exits and all chimneys and exterior openings within 15 feet of the storage rooms and vent ducts.

APPLIANCES

APPROVED PAINT, VARNISH AND LACQUER SPRAYING EQUIPMENT

Automatic Paint Sprayer.....477-37-SA.
Binks-Hu-Ro-Thor-Hurley Spray Equipment...338-32-SA.
De Vilbiss Spray-Painting Equipment.....336-32-SA.
Eureka Paint Sprayer.....478-37-SA.
Paasche Spray Painting Equipment.....363-32-SA.
Spraco Spray Painting Equipment.....479-32-SA.

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

FACTORY EXIT RULES ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 23, 1927, AND AMENDED JANUARY 15, 1932.

(64-27-SR)

STANDARD FACTORY EXITS

Section 1—Fire Escapes.

Rule 1. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, more than five stories in height and not exceeding nine stories in height, nor in any case more than 90 ft. from curb level to top floor level, one of the required means of exit or escape under Section 271-1 of the Labor Law may consist of an outside fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, labor law, and in addition thereto:

(1) The balconies and stairs shall be protected on the outside by substantial railings to a height of at least 4 ft. 6 in., measured from floor of balcony or center of stair tread, constructed of bars at least one-half (½) inch in diameter, spaced not more than six (6) inches on centers, or of substantial grille work, or of screening not less than No. 10 U. S. gauge wire with not more than one and one-half (1½) inch mesh, all rigidly braced;

(2) When there is safe egress from the roof of the building to any adjoining structure, the fire escape stairway shall continue to the roof, and if there be no safe means of egress, a gooseneck ladder shall be provided from the top story balcony to the roof.

(b) Any such fire escape erected prior to October 1, 1913, shall conform in every respect with the requirements of paragraph (a) of this rule, except that balconies may be not less than 3 feet in width; the connecting stairs not less than 20 inches in width, and placed at an angle not exceeding 60 degrees if the building is not over six stories in height, otherwise at an angle of 45 degrees.

Rule 2. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, five stories or less in height, one of the required means of exit under Section 271 of the Labor Law may consist of an outside iron fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, Labor Law.

(b) Existing fire escapes shall comply with all the provisions of Section 274, Labor Law and in addition thereto

(1) The balconies shall be not less than 3 feet in width.

(2) The rails around balconies and well holes and on stairways shall be not less than 3 feet in height.

(3) Passageways on the balconies shall be not less than 14 inches in the clear.

(4) At least one opening to each balcony shall be a single fireproof casement door at least 2 feet wide and at least 6 feet in height, except that where the distance between the sill and lintel will not permit of an opening 6 feet in height, a casement door not less than 4 ft. 6 in. in height will be permitted.

Rule 3. The single fireproof casement doors leading to all fire escape balconies shall open out and shall be self-closing. An easily operated door lock with knobs on both sides of the door shall be provided.

Such fire doors may be at window sill level if fixed iron step at least two feet wide, with risers not exceeding eight (8) inches, and treads not less than eight (8) inches are provided on the inside from floor level to sills properly secured.

Rule 4 (a). Any such fire escape erected subsequent to October 1, 1913, and prior to these rules taking effect, unless previously accepted as one of the required means of exit or escape by the administrative official having jurisdiction, shall conform in every respect to the provisions of these rules.

(b) A fire escape shall not hereafter be accepted as constituting one of the required means of exit or escape under Section 271-1 of the Labor Law, in any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, exceeding nine stories in height, or more than 90 feet from curb level to top floor level.

Rule 5. All fire escapes shall be maintained structurally safe, properly painted, and kept clear of all obstructions.

Section 2—Enclosure of Factory Stairways.

Rule 6. Except as herein provided, in all factory buildings five stories or less in height, erected prior to October 1, 1913, in which there are more than twenty-five persons employed above the second story, all interior stairways, serving as required means of exit, and the landings, platforms and passageways connected therewith, shall be enclosed on all sides by partitions of fire-resisting material extending continuously from the lowest point of the stairway in accordance with the following schedule:

Number of stories	Contents combustible, no sprinkler	Contents non-combustible no sprinkler	Contents combustible, and sprinkler	Contents non-combustible and sprinkler
Three	Stairways Enclosed			
Four	Stairways Enclosed	Stairways Enclosed		
Five	Stairways Enclosed	Stairways Enclosed	Stairways Enclosed	

The term "contents" as used above means articles, goods, wares and merchandise, packed, stored, manufactured or in the process of manufacture.

The term "combustible" as used above means articles, goods, wares or merchandise which will burn or support combustion.

The term "sprinkler" as used above means an adequate automatic sprinkler equipment installed and maintained in good working order on each floor.

The term "story" as used above means that part of a building between any floor and the floor or roof next above;—the first story is that part of a building which is more than 50 per cent above the floor below and the floor next above the curb or average grade level.

Where the stairways extends to the top floor of the building, such partitions shall extend to the under side of the roof boarding. That portion of the under side of the roof beams within the stair enclosure shall be covered with fire-resisting material, except in buildings with roofs of non-combustible material, in which case the partitions may stop at the under side of he roof.

Where the stairway is required to extend to the roof the enclosure shall be so built as to form a bulkhead. The enclosure shall be ventilated by a skylight in the roof with louvres or ventilators, or exterior windows with ventilating sections at the top floor.

All openings in such partitions shall be provided with approved self-closing fire doors, except where such openings are in the exterior wall of the building.

The bottom of the enclosure shall be of fireproof mate-
al at least four inches thick unless the partition extends
the cellar bottom.

A horizontal exit, as defined in section 267 of the Labor
w, will be accepted as a compliance with this rule when
th sides of the fire wall or walls are occupied on any
ctory floor by the same occupant.

Rule 7. Where there are occupancies on any story
part of a story involving the storage or use below the
p story of the following materials and exceeding the
nount specified, and there are more than 5 persons em-
oyed at manufacturing above such occupancy, the interior
irway serving as required means of egress shall be en-
osed on that story with fire-resisting material from floor
under side of floor above, including any exposed stair
ffits, landings and passageways; openings shall be pro-
led with approved self-closing fire doors.

Nitrocellulose in any shape or form, 10 pounds.
Volatile inflammable oils, 1 gallon.
Volatile inflammable mixtures, 5 gallons.
Combustible mixtures, 10 gallons.
Paints, varnishes and lacquers, 10 gallons.
Upholstering or mattresses, manufacturing or repairing.
Cotton, rag and paper sorting, 1 ton.
Paper box manufacturing.
Restaurants and lunch rooms with cooking (not includ-
tea, coffee or similar beverages).

The Board shall rule upon new occupanies as they arise
l pass upon points under dispute.

When more than two stories are to be segregated, as
ve, the entire stairway shall be enclosed in fire-resisting
terial where there are more than 5 persons employed at
nufacturing above the first story.

Rule 8. Required Exits and Enclosures of Stairways in Two-Story Factory Buildings.

. Required Exits.—In every two-story factory build-
erected prior to October 1, 1913, in which more than
persons are employed at manufacturing, there shall be
vided from each story at least two means of exit or
ape from fire remote from each other, one of which
m every floor above or below grade shall lead to or
n on an interior stairway which shall be enclosed, as
einafter provided, or on an exterior enclosed stairway.
e other may lead to such a stairway, or to a horizontal
grade exit, or to an exterior screened stairway, or to a
escape conforming to section 273, Labor Law, or rule 2
these rules. Except that exit door shall be a fire door,
h substantial steps to the sills properly secured when sill
nore than 8 inches above the floor level; and where
re is no safe egress from the roof, a gooseneck ladder
ll be provided from top balcony to the roof, except on
front of buildings.

nobstructed egress from the foot of the fire escape or
erior screened stairway shall be as required by section
Labor Law, or to open adjoining yard with egress to
street. No point on any floor of such building shall be
e than one hundred and fifty (150) feet distant from
an exit.

ule 9. Enclosure of Stairways.—In two-story build-
where there are occupancies on any story or part
story involving the storage or use below the top story
ny of the materials exceeding the amounts specified in
e 7 and there are more than 5 persons employed at
ufacturing above such occupancy, all interior stairways
ing as required means of exit shall be enclosed from
lowest point of such stairway to the ceiling of the first
r by partitions of fire-resisting material, unless the
ding is provided with a wet sprinkler system, in which
such enclosure of stairways shall not be required.
h enclosures shall lead directly to a door opening out-
wardly to a street or road, or an open area affording unobstructed passage to a street or road. All openings in such enclosure shall be provided with fire doors equipped with self-closing devices.

All reference herein to "Enclosure of Stairways" shall be considered as applying only to required stairways.

Rule 10. Storage of Combustible Material Within Factory Stairway Enclosures.

In all factory buildings no articles or wares of any nature shall be kept or stored inside the limits of any stairway enclosure or unenclosed stairway, or on the landings, platforms or passageways connected therewith.

But this shall not prohibit the erection and maintenance of a stand to be built of incombustible material and wire glass or ¼-inch-thick plate glass for the retail sale of cigars, cigarettes and tobacco and candies in original packages or daily newspapers in the public hall or corridor on the first story of any building provided there is no open flame. All portions of the stand and any portion of any permitted accessory use to same shall be set back at least 18 inches from the outside line of travel of the required legal width of exit. Each such stand shall be provided with at least one approved 2½-gallon chemical fire extinguisher.

Section 3—Safe Egress from Roofs of Factory Buildings.

Rule 11. Interior stairways serving as required means of exit in factory buildings erected after October 1, 1913, and not exceeding five stories in height, and in buildings erected before October 1, 1913, now occupied or to be occupied as a factory, shall not be required to extend to the roof where there is no safe egress from the roof, under Sections 270, 271 and 272, Labor Law.

(a) When the roofs, or the top of the parapet wall of an adjoining building are more than eight feet below or more than five feet above the top of the parapet wall of the building in question, and there is no outside party wall fire escape, party wall exterior screened stairway, party wall balconies or bridges, or where any outside exits do not connect to adjoining buildings at roof level, or where there are no unbarred window openings five feet above the roof or parapet wall of the building in question.

(b) When the roof of the building in question has a pitch exceeding one foot in six feet of horizontal run.

Rule 12 (a). When there is no safe egress from the roof, as above described, there shall be in all cases at least a double-rung ladder at the top of the interior stairway, and within the interior stairway enclosure when stairway is enclosed. Such ladder shall be at least 18 inches in width and shall be properly secured at top and bottom. The ladder shall lead to a scuttle opening not less than 2 feet by 3 feet or be of such additional area as may be required to provide ample head room. The scuttle cover shall be hinged and of light weight construction, or be counter-balanced. An easily operated hook may be provided on scuttle cover

(b) Where the stair bulkhead door opens within 10 feet from the open edge of the roof, an iron railing properly braced at least 3 feet high and at least 10 feet long shall be provided at the edge of roof.

SUBSTANDARD FACTORY EXITS

Section 4—Fire Escapes.

Rule 13. When in addition to the required exits from any factory or factory building, there exist other means of egress which are not entirely in accordance with the requirements of the Labor Law and the Rules of the Board of Standards and Appeals, such means of egress may be retained under the following conditions:

(a) Fire Escapes.—All substandard fire escapes on factory buildings shall be maintained, structurally safe, properly painted, and with the openings leading thereto, kept in good repair.

In lieu of a counter-balanced stairway, a drop ladder in guides with a back-drop gravity hook may be provided.

The drop ladder shall be of sufficient length to reach from the lowest balcony to the ground or safe landing place, with a passageway opening cut in the balcony rail, which rail shall be properly braced.

When such substandard fire escapes are located in a court, side or rear of a building, proper egress to a point of safety shall be provided, either to open adjoining yards, or the lowest balcony may be connected to an adjoining fire escape, exterior stairway, to the roof of adjoining extensions, or other means of egress satisfactory to the authorities having jurisdiction.

Substandard fire escapes shall be kept clear of all obstructions, shall not be used for fire drills, and shall not be considered as a basis for increase in occupancy.

Section 5—Stairways and Bridges.

Rule 14. Interior Stairways.—All interior stairways not conforming to the requirements of the Labor Law or rules of the Board of Standards and Appeals may be retained, provided that egress to same is maintained unobstructed, halls are properly lighted, and all landings, passageways, etc., are maintained free and unobstructed. An easily operated panic bolt or other similar device may be installed at street exit door.

Rule 15. Exterior Screened Stairways. — Exterior screened stairways not serving as a required means of egress shall be maintained structurally safe and properly pointed, exits thereto and all platforms and passageways thereof shall be maintained unobstructed, and egress from termination shall be provided as required for substandard fire escapes in subdivision a.

Rule 16. Horizontal Bridges.—Horizontal bridges and party wall balconies between buildings shall be maintained structurally safe and properly painted, and access thereto and all passageways thereof shall be maintained unobstructed.

Rule 17. No sign of any character shall be placed at openings leading to these substandard exits.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals, August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and he shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:—

(a) Factories engaged in the manufacture of cigar cigarettes, or smoking tobacco, when necessary for th efficient conduct of the business, provided that:

(1) No smoking other than that for samplin testing and experimental purposes is carried o

(2) Such smoking is conducted in a roo provided especially for that purpose, separat from the rest of the building by fireproof fire-resisting partitions, with all openings there protected by self-closing fire doors, and, furth unless the building is of fireproof constructi or equipped with an approved automatic sprin ler system, the floor and ceiling of such ro shall be covered with fire-retarding material.

(3) Such chemical fire extinguishers as t administrative official may direct are installed

(4) All waste paper and other inflamma waste materials are deposited in fireproof ceptacles.

(b) Factories devoted entirely to one of the follow occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden const tion;

(2) Such chemical fire extinguishers as administrative official may direct are installed;

(3) All waste paper and other inflamm waste materials are deposited in fireproof ceptacles.

BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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FICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

CONTENTS

is issue of the Bulletin contains, in the order given—

cket.

rtiorari Orders Served on Board.

e Hearing Calendar.

nutes of Special Meeting, August 16, 1938, at 10 A. M., Affecting Calendar Numbers 650-38-A, 665-38-A, 674-38-A, 677-38-A, 682-38-A, 686-38-A, 687-38-A, 688-38-A, 98-38-A, 690-38-A, 691-38-A, 699-38-A, 700-38-A, 646-38-A, 693-38-A, 667-38-A, 696-38-A, 695-38-A, 706-38-A, 07-38-A, 717-38-A, 718-38-A, 722-38-A, 723-38-A, 439-8-A, 553-38-A, 365-38-A, 72-38-A, 661-38-S, 697-38-S, 21-37-BZ, 205-30-BZ, 74-37-BZ, 397-37-BZ, 1066-25-Z, 288-38-BZ.

nutes of Regular Meeting, September 13, 1938, at 10 .M., Affecting Calendar Numbers 403-37-BZ, 5-28-Z, 488-38-BZ, 400-38-BZ, 305-38-BZ, 10-38-BZ.

nutes of Regular Meeting, September 13, 1938, at 2 . M., Affecting Calendar Numbers 568-38-A, 306-38-, 745-38-A, 677-38-A, 704-38-A, 709-38-A, 710-38-A, 25-38-A, 773-38-A, 665-38-A, 674-38-A, 699-38-A, 133-3-A, 638-38-A, 441-21-A, 562-38-S, 671-38-S, 661-38-S, 9-38-SA, 500-28-BZ, 74-36-BZ, 8-34-BZ, 103-38-BZ, 12-29-BZ, 262-32-BZ, 666-38-BZ, 736-38-BZ.

rection Affecting Calendar Number 169-21-S.

: Retarding Rules for Garages, etc.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to September 13, 1938

Cal. No. *Department* *Premises Affected*

773-38-A.....F.D.....1601-1607 Third avenue, northeast corner of East 90th street (Block 1536, Lot 1), Borough of Manhattan, 442-L.F. & Decision.

774-38-BZ.....H.B.Q.....West side Cypress Hills street, 150 ft. inside premises—500 ft. north of Interboro parkway (Cemetery), Glendale, Borough of Queens, N.B. 3694-38.

775-38-A.....H.B.Q.....41-28 to 41-34 29th street, west side, 63.20 ft. north of Bridge Plaza North (Block 417, Lots 1 and 2), Long Island City, Borough of Queens, Decision re Corr. No. 1480-38.

776-36-A-WF..H.B.Q.....132-54 40th road (Grove street), south side, 660 ft. west of Main street (Block 4651, Lot 30), Flushing, Borough of Queens, N.B. 6012-38.

777-38-SM.....Barrett Mineral Surfaced Roofings manufactured by The Barrett Co., Material.

778-38-SM.....Barrett Specification Tarred Felt and Pitch Built-up Roofing manufactured by The Barrett Co., Material.

779-38-SA.....M & S Computing Gasoline Pump, Model 70, Appliance.

780-38-A.....F.D.....60-62 Warren street, northeast corner West Broadway (Block 136, Lot 15), Borough of Manhattan, 13108-L.C. & Decision.

781-38-A.....F.D.....12-16 Vestry street, north side, 130 ft. 10¼ in. east of Hudson street (Block 221, Lot 35), Borough of Manhattan, 13092-L.C. & Decision.

782-38-BZ.....H.B.Q.....Southwest corner of Woodside avenue and 80th street (Block 1525, Lot 12), Elmhurst, Borough of Queens, Decision re No. 2862-38.

783-38-A.....H.B.B.....30-36 Henry street and 82 Middah street, northwest corner (Block 216, Lot 26), Borough of Brooklyn, App. 11730-38.

784-38-BZ.....H.B.Bx.....3273-3277 Westchester avenue and 2000-2006 Colonial avenue, northeast corner (Block 4249, Lot 1), Borough of The Bronx, N.B. 437-38.

785-38-SA.....Reading Foundry and Supply Co. Special Drainage and Vent Fitting, Appliance.

786-38-A.....H.B.B.....1062 (1058 displayed) 55th street, south side, 184 ft. 8 in. west of 11th avenue (Block 5681, Lot 26), Borough of Brooklyn, Alt. 11363-38

787-38-BZ.....H.B.M.....425-437 Edgecombe avenue southwest corner West 155th street and 90-98 St. Nicholas place (Block 2054, Lot 69) Borough of Manhattan, Decision

788-38-SA.....National Heat & Power Co Inc., Oil Burner, Appliance

789-38-A.....H.B.Q.....80-02 to 80-14 57th avenue southeast corner 80th street (Block 2918, Lots 2, 4, 5, and 7), South Elmhurst Borough of Queens, N.B. 3515 to N.B. 3520-3

790-38-S.....H.B.M.....8-10 East 57th street, south side, 195 ft. west of Madison avenue and 11 East 56 street (Block 1292, Lots 64 and 65), Borough Manhattan, N.B. 115-

791-38-A.....H.B.M.....8-10 East 57th street, south side, 195 ft. west of Madison avenue and 11 East 56 street (Block 1292, Lots 64 and 65), Borough Manhattan, N.B. 115-

Restored to Calendar

74-37-BZ.....D.B.B.....255 West 18th street, north side, 100 ft. east of Eighth avenue (Block 768, Lot Borough of Brooklyn, Alt. 3710-

121-37-BZ.....D.B.B. & H.B.B.....89-48 164th street, west s 324.60 ft. north of Jamaica avenue (Block 865, Lot 8 Jamaica, Borough Queens, 479-37 & Corr. 2

205-30-BZ.....D.B.Bx. & H.B.Bx.....1215 Grand Concourse, no west corner of East 1 street (Block 2464, Lot Borough of The Bronx, Alt. 40-20 & Alt. 8

174-36-BZ.....D.B.M.....44-46 East 12th street, s side, 132 ft. west of Br way (Block 563, Lot Borough of Manhattan, App. 8

CALENDAR

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department and **F.D.**—Fire Department.

CERTIORARI ORDERS SERVED ON BOARD OF STANDARDS AND APPEALS

On August 12, 1938, Hartman. Sheridan & Tekulsky, attorneys, served on Board Petition and Order of Certiorari, for Ethel Quasman, owner, in re decision of July 12, 1938, denying under section , partly in residence and partly in business district, erection of s station, Cal. No. 186-30-BZ, premises 74-02 to 74-10 Jamaica venue and 1 Elderts lane, Woodhaven, Borough of Queens.

* * *

On August 18, 1938, Sol A. Herzog, attorney, served on Board tition and order of certiorari, for Remor Equities, Inc., objectors, re decision of Board of July 12, 1938, granting permission for rking, under section 7-h, for two years, Cal. No. 388-37-BZ, premes 2159 White Plains avenue, Borough of The Bronx.

* * *

On August 18, 1938, Charles Warner, attorney, served on Board tition and order of certiorari, for Augustus Chesebrough, et al., ners, in re decision of Board of July 19, 1938, affirming decision of perintendent of buildings refusing curb cuts, Cal. No. 571-38-A, at emises 132-138 Fourth avenue, Borough of Manhattan.

* * *

On August 29, 1938, Reiss & Reiss, attorneys, served on Board tition and order of certiorari, for St. George Garage, Inc., objectors, re decision of Board of July 19, 1938, granting, under section 7-h, mporary parking and storage, under Cal. No. 344-38-BZ, at premes 942-958 DeKalb avenue, Borough of Brooklyn.

SEPTEMBER 20, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standds and Appeals of a public hearing under the provisions the building zone resolution, *Tuesday morning, September* 20, 1938, at 10 o'clock, in Room 1013, Municipal ilding, on the following matters:

L. NO. 469-38-BZ—Application, June 2, 1938, under section 21 of the building zone resolution, of Alfred H. Eccles, applicant, on behalf of Otto Grumbach, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 93-11 to 93-25 Rockaway boulevard and 103-28 to 103-36 94th street, northwest corner (Block No. 9114, Lot No. 19), Woodhaven, Borough of Queens.

L. NO. 605-37-BZ—Application, December 17, 1937, under sections 7h and 21 of the building zone resolution, of William C. Winters, applicant, on behalf of George I. Laird, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3008-3012 Fulton street and 233-241 Linwood street, southeast corner (Block No. 3956, Lot No. 43), Borough of Brooklyn.

.. NO. 583-38-BZ—Application, July 8, 1938, under section 7h of the building zone resolution of Harry Yahr, applicant, on behalf of The Mutual Life Insurance Company of New York, owner, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan.

CAL. NO. 389-29-BZ—Application of Scacchetti and Siegel, applicant, on behalf of 2356 Concourse Realty Corporation, owner, reopened June 14 1938 under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy of part of the first story of an apartment house from residence use to business use (stores); premises 2356-2366 Grand Concourse, 245 Field place, 2355-2365 Ryer avenue and 246 East 184th street (Block No. 3159, Lot Nos. 40 and 42), Borough of The Bronx.

CAL. NO. 574-38-BZ—Application, July 6, 1938, under sections 7b and 7c of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Melvin Y. Hard and Amelia Oberscheimer von de Driesch, owners, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a business building (Undertaking establishment); premises 175 Echo place, north side, 59.14 ft. west of Grand Concourse (Block No. 2808, Lot No. 24), Borough of The Bronx.

CAL. NO. 630-38-BZ—Application, July 15, 1938, under sections 7b, 7c and 7g of the building zone resolution, of Bethlehem Engineering Corporation, applicant, on behalf of Mutual Life Insurance Company, owner, to permit partly in a restricted retail use district and partly in a retail use district, the erection and maintenance of a building to be used as a motion picture theatre, a bus station and garage for more than five (5) motor vehicles; premises 118-134 Park avenue, west side from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan.

CAL. NO. 284-36-BZ—Application of William T. McCarthy, applicant on behalf of House of St. Giles the Cripple, owner, reopened July 8, 1938, under section 21 of the building zone resolution to permit partly in a "C" area district and partly in an "E" area district, the alteration and extension in height of an existing hospital building and the erection of additions thereto to occupy a greater area than permitted by the building zone resolution (previously acted upon by the board); premises 1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block No. 1285, Lot No. 7), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

SEPTEMBER 20, 1938, 2 P. M.

Appeals from Administrative Orders

639-38-A—4420-4424 Church avenue, southwest corner of East 45th street (Block No. 4898, Lot Nos. 10-12), Borough of Brooklyn.

535-38-A—124 Beach 17th street, southeast corner of Seagirt avenue (Block No. 150, Lot No. 1), Far Rockaway, Borough of Queens.

726-38-A—37-16 22nd street (Sunswick street), west side, 285 ft. north of 38th avenue (Block No. 364, Lot No. 35), Long Island City, Borough of Queens.

741-38-A—175-10 Hillside avenue, southeast corner of 175th street (Block No. 9834, Lot No. 10), Jamaica, Borough of Queens.

754-38-A—32 Hart street, south side, 329 ft. east of Nostrand avenue (Block No. 1770, Lot No. 25), Borough of Brooklyn.

758-38-A—341 Broadway, west side, 83 ft. 5 in. north of Worth street (Block No. 173, Lot No. 30), Borough of Manhattan.

724-38-A—1400 Broadway, 111-115 West 38th street, northeast corner and 114-118 West 39th street (Block No. 814, Lot No. 19), Borough of Manhattan.

761-38-A—118 Chambers street, south side, 112 ft. 11½ in. west of Church street (Block No. 136, Lot No. 23), Borough of Manhattan.

783-38-A—30-36 Henry street and 82 Middagh street, northwest corner (Block No. 216, Lot No. 26), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September* 20, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 8-33-BZ—Application of Joseph B. Lynch, applicant, on behalf of Colonial Beacon Oil Company, Inc., lessee, reopened July 22, 1938, for consideration as to amendment of resolution—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station; premises 184-39 to 184-53 Jamaica avenue, northwest corner of 185th street (Block No. 971, Lot No. 38), Hollis, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 27, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, September* 27, 1938, at 10 o'clock, in Room 1013, Municipal Building on the following matters:

CAL. NO. 251-35-BZ—Application of Paul Friedman, applicant, on behalf of State Engineering Corporation and Cora Lay Waldron, owners, reopened May 17, 1938, under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a business building (stores); (previously denied under sections 7c and 21 of the building zone resolution); premises 2115-2119 Caton avenue, north side, 91 ft. west of Flatbush avenue (Block No. 5063, Lot No. 69), Borough of Brooklyn.

CAL. NO. 608-37-BZ—Application, December 21, 1937, under sections 7h and 21 of the building zone resolution of Patrick J. Keating, lessee on behalf of First Methodist Episcopal Church, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles premises 142-17 Roosevelt avenue north side, 150.83 ft. east of Union street (Block No. 5020, Lot No. 49) Flushing, Borough of Queens.

CAL. NO. 609-37-BZ—Application, December 22, 1937, under section 7h of the building zone resolution of Grand Street Realty Corporation owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 91-02 168th street, west side, 150.72 ft. north of Jamaica avenue (Block No. 867, Lots Nos. 83, 85 and 86), Jamaica Borough of Queens.

CAL. NO. 549-38-BZ—Application, June 24, 1938, under section 21 of the building zone resolution of Joseph M. Lonergan, on behalf of Bruno Bernabo, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 4729 Third avenue and 4730 Park avenue, southwest corner of East 189th street (Block No. 3041, Lot No. 47), Borough of The Bronx.

CAL. NO. 574-28-BZ—Application of George A. Boehm, applicant on behalf of Estate of M. Eisman, owner, reopened July 6, 1938, under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district the conversion and occupancy of an existing building for garage for more than five (5) motor vehicles and also a motor vehicle repair shop (previously withdrawn); premises 1339 Jerome avenue (Macombs road), west side, 472.96 ft. south of West 170th street and 1338 Inwood

avenue (Block No. 2856, Lot Nos. 9-10-49 and 50), Borough of The Bronx.

CAL. NO. 558-37-BZ—Application, November 26, 1937, under section 7h of the building zone resolution, of Michael Garozzo, applicant, on behalf of Druiss Co., Inc., owner, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 62-66 Henry street and 23-29 Market street, southwest corner (Block No. 277, Lot Nos. 24, 25, 26 and 27), Borough of Manhattan.

CAL. NO. 74-37-BZ—Application of A. J. Simberg, applicant on behalf of Benjamin Lazaroff, owner, reopened August 16, 1938, for consideration as to extension of time to complete work—time having expired by limitation re Application previously granted on condition under sections 7a, 7c and 21 of the building zone resolution, permitting in a residence use district, the extension of an existing business use, and also the omission of the required rear yards; premises 255 West 18th street, north side, 100 ft. east of Eighth avenue (Block No. 768, Lot No. 7), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 27, 1938, 2 P. M.

Appeals from Administrative Orders

677-38-A—52 Sands street, northeast corner Adams street (Block No. 66, Lot No. 7), Borough of Brooklyn.

786-38-A—1062 (1058 displayed) 55th street, south side, 184 ft. 8 in. west of 11th avenue (Block No. 5681, Lot No. 26), Borough of Brooklyn.

760-38-A—1245-1269 York avenue, west side, from East 67th street to East 68th street (Block No. 1642, Lot Nos. 1-44), Borough of Manhattan.

793-38-A—379-383 Madison avenue and 41-47 East 46th street, northeast corner and 88 Vanderbilt avenue (10th floor); (Block No. 1282, Lot No. 21), Borough of Manhattan.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September 27*, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 5-28-BZ—Application of Paul Friedman, applicant, on behalf of Parkway Center Building Corporation, owner, reopened June 14, 1938, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station (previously denied); premises 384-388 Hawthorne street and 664-674 New York avenue, southwest corner (Block No. 4819, Lot No. 39), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 4, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October 4*, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 332-38-BZ—Application, May 3, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of John F. Trommer, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1605-1615 Bushwick avenue, northeast corner of Stewart street (Block No. 3475, Lot No. 50), Borough of Brooklyn.

CAL. NO. 417-37-BZ—Application, August 24, 1937, under section 7h of the building zone resolution, of Vivian J. Burkett, lessee, on behalf of Annie Callan, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises northeast corner of Crocheron avenue and 169th street (Block No. 5297, Lot No. 6), Flushing, Borough of Queens.

CAL. NO. 570-38-BZ—Application, July 5, 1938, under section 7a of the building zone resolution, of Robert Gottlieb, applicant, on behalf of Stanley K. Malouf, owner, to permit in a residence use district the erection and maintenance of a business building (stores and offices above); premises 791-793 St. Nicholas avenue, west side, 51 ft. south of West 150th street (Block No. 2064, Lot Nos. 33 and 34), Borough of Manhattan.

CAL. NO. 395-37-BZ—Application, August 9, 1937, under section 21 of the building zone resolution, of Joseph J. Nista, applicant, on behalf of Florence Helfrich, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1058 Union avenue, east side, 192-01 ft. south of East 166th street (Block No. 2679, part of Lot No. 11), Borough of The Bronx.

CAL. NO. 537-37-BZ—Application, November 15, 1937, under sections 7h and 21 of the building zone resolution of Isidore Beerman, applicant, on behalf of Schulte Realty Company, owner, to permit in a busi-

CALENDAR

ness use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 72-01 to 72-17 Roosevelt avenue, north side, 100 ft. west of 72rd street and 7216 to 7230 Broadway (Block No. 1283, Lot Nos. 72, 80, 90, 93, 97, 99 and part of 84), Jackson Heights, Borough of Queens.

CAL. NO. 582-38-BZ—Application, July 8, 1938, under section 21 of the building zone resolution, of Charles H. Pfaff, applicant, on behalf of Justine Schwab, owner, to permit in a business use district the extension of an existing gasoline service station; premises 222-45 to 222-47 Braddock avenue (Rocky Hill road), northwest corner of Sabre street (Block No. 7967, Lot No. 39 and part of Lot No. 41), Queens Village, Borough of Queens.

CAL. NO. 262-37-BZ—Application, June 4, 1937, under sections 7h and 21 of the building zone resolution, of Henry W. Schober, applicant, on behalf of Herbert H. Peters, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 21-11 Menahan street, north side, 101.67 ft. east of Grandview avenue (Block No. 2204, Lot Nos. 68, 71 and 80), Ridgewood, Borough of Queens.

CAL. NO. 255-38-BZ—Application, April 11, 1938, under section 21 of the building zone resolution, of Irving Kudroff, applicant, on behalf of Aberdeen Garage, Inc., owner, to permit in a business use district the extension of an existing public garage (previously granted by the board) by the construction of a new ramp and also the erection and maintenance of a gasoline service station, analytical service, greasing station, motor vehicle shop for minor repairs and brake service station; premises 2181-2191 Jerome avenue, west side, from Clinton place to West 182nd street, 3 Clinton place and 4 West 182nd street (Block No. 3195, Lot Nos. 66 and 69), Borough of The Bronx.

CAL. NO. 416-38-BZ—Application, May 27, 1938, under sections 7a and 21 of the building zone resolution, of Emanuel H. Jerabek, applicant, on behalf of Josephine Pokorny, owner, to permit in a business use district, the extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and also, a motor vehicle repair shop; premises 162-42 to 162-44 Piedgeon Meadow road (Fresh Meadow road), west side, 235.23 ft. north of Laburnum avenue (Block No. 5461, Lot Nos. 44, 46, 47 and 49), Flushing, Borough of Queens.

CAL. NO. 736-38-BZ—Application, August 16, 1938, under section 7g of the building zone resolution, of Francis T. Christy, applicant, on behalf of Rockefeller Center, Inc., lessee, The Trustees of Columbia University in the City of New York, owner, to permit in a retail use district the erection and maintenance of a building to be occupied as a garage for more than five (5) motor vehicles and offices; premises 25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

OCTOBER 4, 1938, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October* 4, 1938, at 2 o'clock, in Room 1013, Municipal Building on the following matter:

CAL. NO. 174-36-BZ—Application of Szold and Brandwe applicants, on behalf of New Yo Clothing Cutters Centre, Inc., owne reopened September 13, 1938, for co sideration as to extension of permit re Application, previously granted condition, under section 7h of t building zone resolution, permitting a business use district the parking more than five (5) motor vehicles f a temporary period; premises 44- East 12th street, south side, 132 west of Broadway (Block No. 563, I No. 28), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairm*

MINUTES

BOARD OF STANDARDS AND APPEALS

SPECIAL MEETING

TUESDAY MORNING, AUGUST 16, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross.

650-38-A.

APPLICANT—Austin W. Magee and Max Grossgold, Max Abramson, lessee.

SUBJECT—Appeal from an order of the fire comm sioner.

PREMISES AFFECTED—37-02 to 37-08 Main str

southwest corner of 37th avenue (Block No. 4971, Lot No. 27), Flushing, Borough of Queens.
APPEARANCES—
For Applicant: Austin W. Magee.
ACTION OF BOARD—Placed on Reserve Calendar for inspection.

665-38-A.
APPLICANT—James J. Millman, for Louis Lebow, lessee.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
PREMISES AFFECTED—513 Neptune avenue and 2804-2814 Holmes street, northwest corner (Block No. 7251, part of Lot No. 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Benjamin A. Millman.
For Administration: S. Cohen and Russell J. Dunachi, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to September 13, 1938, 2 P.M., on request of applicant's representative.

674-38-A.
APPLICANT—Saul H. Altholz, for G. E. Specialty Company, lessee.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—155 Quincy street, north side, 60 ft. west of Bedford avenue (Block No. 1971, Lot No. 33), Borough of Brooklyn.
APPEARANCES—
For Applicant: Harry Zellman.
For Administration: Sup. Insp. Callahan, Fire Dept.
ACTION OF BOARD—Laid over to September 13, 1938, 2 P.M., on request of applicant's representative.

677-38-A.
APPLICANT—Hercules Liquor Products Corporation, lessee.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—52 Sands street, northeast corner of Adams street (Block No. 86, Lot No. 7), Borough of Brooklyn.
APPEARANCES—
For Applicant: H. J. Schimmel.
ACTION OF BOARD—Laid over to September 13, 1938, 2 P.M., on request of applicant's representative.

582-38-A.
APPLICANT—Chadbourne, Hunt, Jaeckel & Brown, for New China Amusement Company, lessee.
SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—73-79 Henry street, northwest corner of Forsyth street and 75-85 East Broadway (Block No. 282, part of Lot No. 3), Borough of Manhattan.
APPEARANCES—
For Applicant: William M. Chadbourne, Robert C. Thomson, Jr., and Rex J. Howard.
For Administration: Lieutenant Gallagher, Fire Dept.; Fred Dahlem and Jacob Scharf, Dept. of Buildings.
ACTION OF BOARD—Laid over to September 20, 1938, 2 P.M., for inspection by a Committee of Board.

686-38-A.
APPLICANT—Bush Terminal Company, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—Pier No. 1, foot of 50th street, 553 ft. west of First avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.
APPEARANCES—
For Applicant: C. H. Wilson, Frederick F. Connor, Chas. H. Crooks, Geo. J. Watson and others.
For Administration: Insp. Maddox, Fire Dept.
ACTION OF BOARD—Laid over to September 20, 1938, 2 P.M., for inspection by a Committee of Board.

687-38-A.
APPLICANT—Bush Terminal Company, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—Pier No. 2, ft. of 49th street, 533 ft. west of First avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.
APPEARANCES—
For Applicant: C. H. Wilson, T. A. Lilly, Chas. H. Crooks, Geo. J. Watson and others.
For Administration: Insp. Maddox, Fire Dept.
ACTION OF BOARD—Laid over to September 20, 1938, 2 P.M., for inspection by a Committee of Board.

688-38-A.
APPLICANT—Bush Terminal Company, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—Pier No. 3, ft. of 47th street, 533 ft. west of First avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.
APPEARANCES—
For Applicant: C. H. Wilson, Frederick F. Connor, Chas. H. Crooks, Geo. J. Watson and others.
For Administration: Insp. Maddox, Fire Dept.
ACTION OF BOARD—Laid over to September 20, 1938, 2 P.M., for inspection by a Committee of Board.

689-38-A.
APPLICANT—Bush Terminal Company, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—Pier No. 4, ft. of 46th street, 533 ft. west of First avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.
APPEARANCES—
For Applicant: C. H. Wilson, William Paton, Chas. H. Crooks, Geo. J. Watson and others.
For Administration: Insp. Maddox, Fire Dept.
ACTION OF BOARD—Laid over to September 20, 1938, 2 P.M., for inspection by a Committee of Board.

690-38-A.
APPLICANT—Bush Terminal Company, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—Pier No. 5, ft. of 44th street, 533 ft. west of First avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.
APPEARANCES—
For Applicant: C. H. Wilson, Geo. J. Watson and Chas. H. Crooks.
For Administration: Insp. Maddox, Fire Dept.
ACTION OF BOARD—Laid over to September 20, 1938, 2 P.M., for inspection by a Committee of Board.

MINUTES

691-38-A.
APPLICANT—Bush Terminal Company, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—Pier No. 6, ft. of 42nd street, 513.08 ft. west of First avenue; (Block Nos. 715 and 720, Lot No. 1), East River, Borough of Brooklyn.
APPEARANCES—
For Applicant: C. H. Wilson, Geo. J. Watson and others.
For Administration: Insp. Maddox, Fire Dept.
ACTION OF BOARD—Laid over to September 20, 1938, 2 P.M., for inspection by a Committee of Board.

699-38-A.
APPLICANT—Samuel Rosenblum, for Asterloid Mfg. Co., lessee.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—21-29 Hopkins street, north side, 230 ft. east of Nostrand avenue (Block No. 1719, Lot No. 66), Borough of Brooklyn.
APPEARANCES—
For Applicant: Samuel Rosenblum.
For Administration: Sup. Insp. Callahan, Fire Dept.
ACTION OF BOARD—Laid over to September 13, 1938, 2 P.M., on request of applicant.

700-38-A.
APPLICANT—Bush Terminal Company, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—Pier No. 7, ft. of 41st street, 1335 ft. west of Second avenue (Block No. 710, Lot No. 1), East River, Borough of Brooklyn.
APPEARANCES—
For Applicant: C. H. Wilson, Geo. J. Watson, Chas. H. Crooks and others.
For Administration: Insp. Maddox, Fire Dept.
ACTION OF BOARD—Laid over to September 20, 1938, 2 P.M., for inspection by a Committee of Board.

646-38-A.
APPLICANT—Mayers, Murray and Phillip, for Seaman's Bank for Savings in the City of New York, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—226-228 East 76th street, south side, 205 ft. west of Second avenue (Block No. 1430, Lot Nos. 33 and 34), Borough of Manhattan.
APPEARANCES—
For Applicant: Robert K. Posey.
ACTION OF BOARD—Application withdrawn on written request.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross 4
Negative 0
Absent 0

693-38-A.
APPLICANT—Joshua Tabatchnik, for Mrs. Annie McMahon, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
PREMISES AFFECTED—101 North Oxford street, east side, 422 ft. 3 in. south of Park avenue (Block No. 2042, Lot No. 26), Borough of Brooklyn.
APPEARANCES—
For Applicant: Joshua Tabatchnik and Annie McMahon.
For Administration: S. Cohen and Russell J. Dunachi, Dept. of Housing and Buildings.
ACTION OF BOARD—Withdrawn after argument.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross 4
Negative 0
Absent 0

667-38-A.
APPLICANT—J. M. Berlinger, for Guaranty Trust Company of New York, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—1211 Madison avenue and 49 East 87th street, northeast corner (Block No. 1499, Lot No. 20), Borough of Manhattan.
APPEARANCES—
For Applicant: Charles I. Goldman.
For Administration: Fred Dahlem, Dept. of Housing & Buildings.
ACTION OF BOARD—Application denied.
THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross 4
Negative ..... (
Absent ..... (
THE RESOLUTION—
(667-38-A)

WHEREAS, J. M. Berlinger for Guaranty Trust Co. of New York, owner, filed July 26, 1938, an appeal with the Board of Standards and Appeals from a decision of the superintendent of buildings affecting premises 1211 Madison avenue, 49 East 87th street (Block No. 1499, Lot No 20), Borough of Manhattan; and

WHEREAS, the decision of the superintendent of buildings rendered on Buildings Notice 1997-38 reads:

"It is contrary to the Multiple Dwelling Law to obstruct the means of exit in a non-fireproof building.'

and

WHEREAS, the building is non-fireproof, 6 stories in height, 50 feet by 103 feet in area, located in a business and residential use area and occupied as a multiple dwelling with apartments on each floor; and

WHEREAS, it is proposed to erect a gate between the first and second floor on the stair landing.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

696-38-A.
APPLICANT—George G. Miller, for Roosevelt Height Association, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—West side of 75th street, between Roosevelt avenue and 37th road (Block No. 1285, Lot No. 71), Jackson Heights, Borough of Queens.
APPEARANCES—
For Applicant: George G. Miller.
ACTION OF BOARD—Granted on condition.
THE VOTE TO GRANT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross .....
Negative .....
Absent .....

THE RESOLUTION—

(696-38-A)

WHEREAS, George G. Miller for Roosevelt Heights Association, owner, filed August 5, 1938, an appeal with the Board of Standards and Appeals from a decision of the borough superintendent of buildings affecting premises, West side 75th street, between Roosevelt avenue and 37th road (Block No. 1285, Lot No. 71), Jackson Heights, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings rendered on New Building Application 6544-1937, reads:

Item 1. An 8 in. brick wall built between piers as shown will be accepted if its height from foundation wall to the top of roof boards does not exceed 13 ft.

3. Your request to omit fire-proof enclosure of cellar stairs is denied.

5. Your request to use an 8 in. parapet wall will be accepted, if the building can be erected of 8 in. walls, parapet walls must be 2 ft. above the roof.

6. Your request to construct store front bulkheads of wood is denied.

and

WHEREAS, the proposed building is non-fireproof, one story in height, 100 by 81.68 ft. in area, to be occupied as follows: Cellar—storage; 1st story—stores; located in a business use district.

Resolved, that the decision of the borough superintendent as to Application No. 6544-37, objections 3 and 6, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the cellar stairs provided shall be solely for the individual use of each store; that the cellar of each store shall be separated from that adjoining by means of fire resisting partitions not less than ½ in. in thickness, that the bulkheads, if constructed of wood, shall be protected on the exterior by incombustible material, that objection No. 5 shall be complied with, and that the appeal as to item No. 1 be and it hereby is withdrawn.

695-38-A.

APPLICANT—Samuel Rosenblum, for T. A. McMillan, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—49 South street, northwest corner of Gouverneur lane (Block No. 35, Lot No. 40), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum and T. A. McMillan.

For Administration: Insp. Anderson, Fire Dept.

ACTION OF BOARD—Granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent	0

THE RESOLUTION—

(695-38-A)

WHEREAS, Samuel Rosenblum, for T. A. McMillan, owner, filed August 4, 1938, an appeal with the Board of Standards and Appeals from an order of the fire commissioner, affecting premises 49 South street, northwest corner of Gouverneur lane (Block No. 35, Lot No. 40), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner No. 13441 F, dated July 6, 1938, reads:

"1. Provide iron shutters at all openings in the exterior walls above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at south side of building, or other approved protection."

and

WHEREAS, the building is non-fireproof, 5 stories in height, 23 ft. 3 in. by 63 ft. in area, occupied for the storage of iron chains and iron and hardwood sheaves and pulleys and office—9 persons in entire building.

Resolved, that the order of the fire commissioner No. 1344 L.F. be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the occupancy of the building, now consisting of the storage of marine hardware shall not be changed to any other occupancy deemed more hazardous by the administrative official; and granted only so long as the building is not increased in height and area and the building opposite on Gouverneur lane shall have all windows protected with iron shutters.

706-38-A.

APPLICANT—Donald Agnew, for Richfield Oil Corp., of New York.

SUBJECT—Appeal from a decision of the fire commissioner—re: Manufacture, transportation, sale, use and storage of anti-freeze, known as "Richfield Super Anti-Freeze" in non-refillable cans in New York City.

APPEARANCES—

For Applicant: Donald Agnew.

ACTION OF BOARD—Granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent	0

THE RESOLUTION—

(706-38-A)

WHEREAS, Donald Agnew, for Richfield Oil Corporation of New York, owner, filed August 9, 1938, an appeal with the Board of Standards and Appeals, from a decision of the fire commissioner relative to manufacture, transportation, sale, use and storage of anti-freeze, known as "Richfield Super Anti-Freeze" in non-refillable cans in New York City; and

WHEREAS, the decision of the fire commissioner, dated August 3, 1938, reads:

In response to the application which you filed on July 25, 1938, be advised that this department cannot permit the use of round, non-fillable cans for your container known as "Richfield Super Anti-Freeze" under section C19-59 of the new Administrative Code. For your information this rule reads as follows:

"Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five (5) gallons each; cans to be fitted with a tight fitting replaceable top, cap or other device, so made that the can shall be airtight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each."

and

WHEREAS, it is proposed to market this anti-freeze in non-refillable cans and applicant contends that the material is prepared by adding to each 100 gallons of completely denatured alcohol, 4 gallons of kerosene and 1 gallon of Stanco Rust Inhibitor and 20 grams of Acid Fuchsin D, the completely denatured alcohol used therein being prepared by adding to 100 gallons of ethyl alcohol of not less than 160 degrees proof, 3 gallons of Denol or a compound similar thereto, 3 gallons of ST-115 or a compound similar thereto, 1 gallon of gasoline and one-half gallon of Hydronol 1 or a compound similar thereto.

Resolved, that the decision of the fire commissioner, dated August 3, 1938, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the transportation, sale, storage and manufacture of anti-freeze (inflammable mixture) as described in this appeal, in one gallon cans and in one quart cans without a tight-fitting replaceable top, *on condition* that there shall appear on

each can a prominent notice reading "Upon Opening Remove Entire Contents at Once"; that such notice shall have white letters on a red background or red letters on a white background; that this lithographed label shall also contain the words "This Container for Anti-Freeze Approved by the Board of Standards and Appeals under Cal. No. 706-38-A"; that this product may be marketed under the trade name "Richfield Super Anti-Freeze" and that the name of the manufacturer or agent shall also appear on the label.

707-38-A.

APPLICANT—American Can Co., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—4302-4320 Second avenue, block bounded by First and Second avenues and 43d and 44th streets (Block No. 726, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. M. Didriksen.

For Administration: Insp. Callahan, Fire Dept.

ACTION OF BOARD—Granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross 4

Negative 0

Absent 0

THE RESOLUTION—

(707-38-A)

WHEREAS, American Can Co., owner, filed August 5, 1938, an appeal with the Board of Standards and Appeals from an order of the fire commissioner affecting premises 4302-4320 Second avenue, block bounded by First and Second avenues and 43rd and 44th streets (Block No. 726, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner No. 75970LC dated July 6, 1938, reads:

"You are hereby notified that an inspection of the above premises used to store paints, shows that the following must be done before the permit requested by you can be issued:

FORTHWITH

1. Provide an approved underground storage system for storage of inflammable liquids (Salvasol No. 2 and Salvasol No. 3) naptha. Plans and specifications to be filed with and approved by Department of Housing and Buildings, before the work of installing system is commenced. Tank to be tested and installation supervised by a representative of Division of Combustibles, Fire Department."

and

WHEREAS, the building is fireproof 6 stories and basement in height, 200 by 515 ft. in area on 1st story and 200 by 443 ft. above; occupied for storage of tin plate in the cellar; shipping and storage on the 1st story, manufacture on the 2nd to 6th story, inclusive, with offices and cafe on the 6th story, the maximum occupancy on any one floor being 200.

Resolved, that the order of the fire commissioner, No. 75970LC be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be stored on the premises not more than four 55 gallon drums of Salvesso No. 2 and not more than five (5) 55 gallon drums of Salvasol No. 3 at any time; *on condition* that these drums shall be stored in fireproof vaults within the basement, properly protected and ventilated to the satisfaction of the fire commissioner, except that not more than one drum of each liquid may be taken to the sixth floor for use, *on condition* that such drums shall be equipped with approved underwriter's hand pumps with dripless spouts and when dispensed from the drums the liquid shall be stored in safety cans not exceeding five gallons' capacity.

717-38-A.

APPLICANT—Levy & Berger, for Mays Fur & Ready To Wear, Inc., lessee.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—502-506 Fulton street, south side, 40 ft. east of Bond street, 9-17 Bond street and 16-20 Hanover street (Block No. 160, Lot Nos. 15, 16, 17 and 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Leo Berger.

For Administration: S. Cohen, Dept. of Housing & Buildings.

ACTION OF BOARD—Granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross .....

Negative .....

Absent .....

THE RESOLUTION—

(717-38-A)

WHEREAS, Levy & Berger, for Mays Furs and Ready to Wear, Inc., lessee, filed August 28, 1938, an appeal with the Board of Standards and Appeals from a decision of the borough superintendent of buildings affecting premises 502-506 Fulton street, south side, 40 ft. east of Bond street, 9-17 Bond street and 16-20 Hanover place (Block No. 160, Lot Nos. 15, 16, 17 and 7), Borough of Brooklyn and

WHEREAS, the decision of the fire commissioner rendered in acting on Application No. 11579-1938 dated August 10, 1938, reads:

"1. Openings in fire walls to be protected on either side for fire resistive doors of 3 hour rating, as per 10.8.1 of Building Code."

and

WHEREAS, the building is fireproof, 7 stories in height 60 ft. by 192 ft. irregular in area and occupied as a department store, office and school.

Resolved, that the decision of the acting borough superintendent on Application No. 11579-38, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that all openings in the fire wall between this building and the building adjoining shall be protected with automatic self-closing fireproof doors or fire curtains bearing the underwriter's label for such conditions, as provided under Cal. No. 718-38-A for the same openings.

718-38-A.

APPLICANT—Levy & Berger, for Mays Furs & Ready To Wear, Inc., lessee.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—10-14 Hanover place, west side, 70 ft. 2 in. south of Fulton street, and 508-512 Fulton street (Block No. 160, Lot Nos. 23, 24 and 2, Borough of Brooklyn).

APPEARANCES—

For Applicant: Leo Berger.

For Administration: S. Cohen, Dept. of Housing & Buildings.

ACTION OF BOARD—Granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross .....

Negative .....

Absent .....

THE RESOLUTION—

(718-38-A)

WHEREAS, Levy & Berger, for Mays Furs & Ready To Wear, Inc., lessee, filed August 12, 1938, with the Board

of Standards and Appeals, an appeal from a decision of the acting borough superintendent of buildings affecting premises 10-14 Hanover place, west side, 70 ft. 2 in. south of Fulton street, and 508-512 Fulton street (Block No. 160, Lot Nos. 23, 24 and 25), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner rendered in acting on Application No. 11578-1938, dated August 10, 1938, reads:

1—More than two stories connected by an unenclosed escalator is contrary to Sec. 6-4-1-9 of Building Code.

2—Openings in fire walls to be protected on either side with fire resistive doors of 3 hour rating as per 10-8-1 of Building Code.

and

WHEREAS, the building is non-fireproof, 3 stories and cellar in height, 60 by 100 ft., irregular in area and occupied as store, salesroom, offices and stock room.

Resolved, that the decision of the acting borough superintendent on Application No. 11578-38, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed escalator shall be constructed of fireproof materials throughout; that baffles constructed of steel or reinforced plaster shall be constructed around the escalator well hole on the third floor ceiling; that these baffles shall be not less than two (2) ft. in depth and approximately two (2) ft. from the edge of the well hole; that in addition to the sprinkler system now installed additional heads shall be constructed on the exterior of the baffle plates not more than 4 ft. on centers; that where any sprinkler heads are nearer than 4 ft. to a sprinkler head of a general system, metal reflectors shall be installed at each such head to prevent water cooling; that similar baffle plates and similar sprinkler protection shall be installed around the escalator well opening on the second floor; that at the 2nd and 3rd floor openings there shall be constructed a roller shutter arranged to be operated by hand by means of a chain permanently secured by heavy rings to the bottom rail of the shutter and supported on brackets so as to be at all times readily available; that this chain shall weigh not less than ¼ lb. per foot; that directly below the bottom rail of the shutters there shall be painted in black letters "Close shutter to floor" with an arrow pointing downwardly; that a gong shall be installed at the second and third floor escalators, which shall be operated by means of push buttons located centrally, one on each floor, the pushing of any such button to ring the gongs at the escalators as a signal to close the curtains; that instructions to all superintendents and section managers shall include, in addition to general instructions as to use of fire extinguishing equipment and exits in case of fire, instruction and monthly drill as to closing escalator shaft curtains so that responsibility will at all times be fixed on attendants on each floor to the end that curtains are immediately closed upon the sounding of the gong signal; that the closing of curtains shall automatically stop all escalators; that this variance is granted only so long as the store is occupied by Lays Department Store and that fire-extinguishing equipment and exits thereto are maintained to the satisfaction of the administrative official having jurisdiction; and, *granted* as to Item 2, of same decision, *on condition* that all openings in the fire walls shall be protected on both sides at all floors with doors or roller curtains automatically self-closing and bearing the underwriter's label for such conditions.

722-38-A.

APPLICANT—George P. Ames, for Lawrence Village Homes, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—41-32 to 42-10 220th place, west side, 100 ft. north of 43rd avenue (Block No. 6318, part of Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: George P. Ames and Harry Neisloss.

ACTION OF BOARD—Granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent	0

THE RESOLUTION—

(722-38-A)

WHEREAS, George P. Ames, for Lawrence Village Homes, Inc., owner, filed August 15, 1938, an appeal with the Board of Standards and Appeals from a decision of the borough superintendent affecting premises, 41-32 to 42-10 220th place, west side, 100 ft. north of 43d avenue (Block No. 6318, part of Lot No. 1), Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Application No. 5875-38 dated August 12, 1938, reads as follows:

"The erection of a frame building in the fire limits is prohibited by the building code, section 4.1.2"; and

WHEREAS, the decision of the borough superintendent on N.B. Applications Nos. 6352 to 6356-38, dated August 15, 1938, reads as follows:

"The erection of a frame building in the fire limits is contrary to section 4.1.2 of the Building Code." and

WHEREAS, the plot in question is 256.14 ft. front by 100 ft. in depth, upon which it is proposed to erect five 1½ story and one 2-story single family dwellings and a private garage in connection with each dwelling; and

WHEREAS, the applicant contends that the proposed dwelling will be so spaced as to preclude a fire hazard, will occupy a maximum of 27 per cent of each individual lot, will be set back 15 ft. from 220th place and will be surfaced with 4 in. of brick veneer to the plate line with brick veneer or stucco above and provided with slate roofs.

Resolved, that the decision of the superintendent of buildings as to Application Nos. 5875, 6352 to 6356, inclusive, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the proposed frame buildings shall be for single family occupancy each with private garage; that the requirements of the Zoning Law as to an "E" area district shall be complied with; that there shall be not less than fifteen (15) feet between dwellings, except for chimney breasts; that in all other respects the building shall comply with the requirements of the Building Code for similar buildings outside the fire limits.

723-38-A.

APPLICANT—George P. Ames, for Lawrence Village Homes, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—41-33 to 42-09 220th place, east side, 100 ft. north of 43rd avenue (Block No. 6319, part of Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: George P. Ames and Harry Neisloss.

ACTION OF BOARD—Granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent	0

THE RESOLUTION—

(723-38-A)

WHEREAS, George P. Ames, for Lawrence Village Homes,

Inc., owner, filed on August 15, 1938, an appeal with the Board of Standards and Appeals from a decision of the borough superintendent of buildings affecting premises east side of 220th place, 100 ft. north of 43rd avenue, Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Applications Nos. 6348 to 6351 and 6362-38 dated August 15, 1938 reads as follows:

"The erection of a frame building in the fire limits is contrary to section 4.1.2 of the Building Code."

and

WHEREAS, the plot in question is 256.32 ft. front by 120.49 ft. irregular in area, upon which it is proposed to erect five 1½ story and one 2 story single family dwellings and a private garage in connection with each dwelling; and

WHEREAS, the applicant contends that the proposed dwellings will be so spaced as to preclude a fire hazard, will occupy a maximum of 27 per cent of each individual lot, will be set back 15 ft. from 220th place and will be surfaced with 4 in. of brick veneer to the plate line with brick veneer or stucco above and provided with slate roofs.

Resolved, that the decisions of the superintendent of buildings as to N.B. Applications No. 6348 to 6351, inclusive, and 6361 and 6362-1938, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the proposed frame buildings shall be for single family occupancy each with private garage; that the requirements of the Zoning Law as to an "E" area district shall be complied with; that there shall be not less than fifteen (15) ft. between dwellings, except for chimney breasts; that in all other respects the buildings shall comply with the requirements of the Building Code for similar buildings outside the fire limits.

439-38-A.

APPLICANT—D. A. Collins Manufacturing Co., Inc., lessee.

SUBJECT—Application for consideration—reopening—amendment—re Appeal from an order of the fire commissioner (previously granted by the Board).

PREMISES AFFECTED—148 39th street (Bush Terminal Bldg., No. 19, 4th floor), southwest corner of Second avenue (Block No. 706, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Dimm and L. Lowenstein.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AN AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent	0

THE RESOLUTION—

(439-38-A)

WHEREAS, D. A. Collins Mfg. Co., Inc., lessee, filed June 1, 1938, an appeal from an order of the fire commissioner, affecting premises 148 39th street (Bush Building No. 19—4th floor), southwest corner of 2nd avenue (Block No. 706, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, filed May 2, 1938, re. Order No. 75193-C, reads:

"1. Surrender to the bearer Fire Department Permit No. 182115, expiring June 1, 1938, authorizing the storage and use of varnoline, essential oils, etc., in the manufacture of combustible and inflammable mixtures, at 146-148 39th street, Brooklyn, as it is revoked for the reason that a recent inspection of the premises shows that the containers (bottles) in use for the "Parkay-Lac" and Liquid Polishing Wax are of 16 ounce and 32 ounce size. This is a violation of C-19-59-c of the Administrative Code, which reads as follows:

'Inflammable mixture (Parkay-Lac) for commercial or business use in the city shall be packed and shipped in cans of a capacity not exceeding 5 gallons each, or steel barrels or drums of a capacity not exceeding 55 gallons each. For shipment outside of the city, containers must conform to the regulations of the Interstate Commerce Commission. For domestic or household use or for sale for domestic or household use such mixtures shall be put in glass bottles of a capacity not exceeding four ounces each, or in metal cans or other approved containers of a capacity not exceeding one gallon each, fitted with a tight fitting, replaceable top, cap or other device so made that the can or container will be air-tight when closed.'

3. Combustible Mixtures (Liquid Polishing Wax) for commercial or business use in the city shall be packed and shipped in cans of a capacity not exceeding 5 gallons each, or steel barrels or drums of a capacity not exceeding 55 gallons each. For shipment outside the city containers must conform to the regulations of the Interstate Commerce Commission. For domestic or household use or for sale for domestic or household use such mixture shall be put up only in glass bottles of a capacity not exceeding 8 ounces each, or in cans of a capacity not exceeding 2 gallons each, fitted with a tight fitting replaceable top, cap or other device so made that the can or container shall be air tight when closed.

4. You are, therefore, ordered to discontinue the practice of distributing inflammable mixture (Parkay-Lac) in bottles of 16 ounce and 32 ounce capacity and confine the distribution of said inflammable mixture to glass bottles of 4 ounce capacity or metal cans or other approved containers of a capacity not exceeding one gallon each, fitted with a tight fitting replaceable cap or other device so made that the can or container shall be air tight when closed.

5. Discontinue the practice of distributing combustible mixture (Liquid Polishing Wax) in bottles of 16 ounce and 32 ounce capacity and confine the distribution of said combustible mixture to glass bottles of 8 ounce capacity or in cans of a capacity not exceeding 2 gallons each, fitted with a tight replaceable top, cap or other device so made that the can or container shall be air tight when closed."

and

WHEREAS, the building is 8 stories, 110 ft. in height, 218 ft. by 440 ft. in area, located in an unrestricted use district, of non-fireproof construction, erected in 1912 and occupied as follows: 1st floor—manufacturing chewing gum and candy, 25 persons; 2nd floor—manufacturing chewing gum and candy, 20 persons; 3rd floor—warehouse 0 persons; 4th floor—manufacturing furniture polishes and waxes, 38 persons, and manufacturing toilet preparations 15 persons; talcum powder, 5 persons; 5th floor—warehouse, 6 to 30 persons; 6th floor—manufacturing chewing gum and candy, 175 persons; 7th floor—coffee packing, 3 persons; 8th floor—coffee roasting, 30 persons; and

WHEREAS, the applicant contends that for many years they have manufactured a Liquid Polishing Wax and Parkay-Lac, made of shellac, gum and alcohol, in cans and in bottles not exceeding thirty-two ounces, as described in the order; that these products are substantially the same as products manufactured and distributed by the applicant's competitors within the City of New York and elsewhere in one gallon cans and in bottles not exceeding thirty-two ounces; that in order to meet the requirements of the trade and competition, it is essential that the applicant be permitted to continue manufacturing and distributing said products in their present form.

WHEREAS, the appeal was granted by the Board, June 14, 1938, on certain conditions and applicant requested

amendment of the Resolution.

Resolved, that the order of the fire commissioner, No. 75193-C, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the manufacture of "Parkay-Lac" and "Liquid Polishing Wax," *on condition* that all packages shall be properly labeled inflammable mixtures with the Fire Department permit number; that these preparations shall consist mainly of shellac, gum and alcohol and permitting the packaging of these products in one gallon cans and 16 oz. and 32 oz. bottles; *that all packages shall be properly labeled "inflammable mixtures" or "incombustible mixture" as determined by the Fire Department after test and that the Fire Department permit number shall appear thereon;* that in all other respects all laws, rules and regulations shall be complied with.

553-38-A.

APPLICANT—Societa Cesare Battista di Mutuo Soccorso, owner.

SUBJECT—Application for consideration—reopening—restoration to calendar re Appeal from a decision of the fire commissioner (previously dismissed for lack of prosecution).

PREMISES AFFECTED—Barge, 1,000 ft. off shore, foot of Ferris lane, Pleasant Bay Park, Unionport, Borough of The Bronx.

APPEARANCES—

For Applicant: Michael Siano and Giacomo Albanese.

For Administration: Inspector Callahan, Fire Dept.

ACTION OF BOARD—Application reopened and granted on condition.

THE VOTE TO REOPEN AND GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross 4
Negative 0
Absent 0

THE RESOLUTION—

(553-38-A)

WHEREAS, the Societa Cesare Battista di Mutuo Soccorso, owner, filed on June 29, 1938, an appeal from a decision of the fire commissioner, relating to the display of fire works in Pleasant Bay Park, 1000 ft. off shore, foot of Ferris lane, Unionport, Borough of The Bronx; and

WHEREAS, the decision of the fire commissioner, dated June 22, 1938, reads as follows:

"Your application in letter form on behalf of the Societa Cesare Battisti of 167 East 105th street, Manhattan, for the display of fireworks by the said Society at Pleasant Bay Park, Ferris lane, Unionport, The Bronx, has been received and considered and is hereby denied for the reason that it is the policy of this department not to issue permits for the display of fireworks."

and

WHEREAS, the applicant contends that the proposed display of fire works will take place on August 21st and 2nd in observance of the feast of the "Santissima Croce" and the fire works will be of the aerial type. The display will be conducted from a barge anchored 1000 ft. off shore, under the supervision of a licensed pyrotechnist; and

WHEREAS, this appeal was dismissed for lack of prosecution, July 6, 1938, and reopened by vote of the Board, August 16, 1938.

Resolved, that the decision of the fire commissioner, dated June 22, 1938, be and it hereby is *modified* and that the appeal be and it hereby is *granted* to permit the discharge and display of fireworks on August 21st and August 2nd, 1938, between the hours of 10 P.M. and 11:30 P.M., *on condition* that all fireworks discharged and displayed shall be from a barge anchored not nearer than 1,200 ft. offshore, as measured from Schley avenue; that such fireworks shall be discharged from a mortar anchored securely to the deck of the barge; that such display shall be under the supervision and control of a pyrotechnist holding certificate of fitness as such; that two (2) 40-gallon fire extinguishers shall be maintained; that the type of fireworks to be discharged and displayed may consist of aerial shells of various sizes, varying from 3 inches to 6 inches, illuminated flares and devices consisting of set pieces and wheels; that a permit in compliance with this resolution shall be obtained from the fire department; and that in the event, on account of rain, the display cannot be held on the days hereinbefore named, that the fire commissioner may permit postponement to such days as are approved by him under conditions as set forth herein.

365-36-A.

APPLICANT—Moss, Marcus and Wels, for Twin City Shellac Co., Inc., lessee.

SUBJECT—Application for consideration — reopening — amendment—re appeal from an order and a decision of the fire commissioner (previously granted by the board).

PREMISES AFFECTED—338-340 Flushing avenue, south side, 71 ft. west of Taaffe place (Block No. 1881, Lot No. 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Simon Michael and Mr. Dulman.

For Administration: Inspector Callahan, Fire Dept.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross 4
Negative 0
Absent 0

THE RESOLUTION—

(365-36-A)

WHEREAS, Twin City Shellac Co., Inc., applicant and lessee, filed on December 12, 1936 an appeal from an order and a decision of the fire commissioner affecting premises 338-340 Flushing avenue, south side 71 ft. west of Taaffe place (Block No. 1881, Lot No. 33), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner (No. 68991-LC), dated September 16, 1936, reads as follows:

"You are hereby notified that an inspection of the above premises, used for the storage of varnish, etc., shows that the following must be done before the permit requested by you can be issued:

FORTHWITH

1. Discontinue the further manufacture of an inflammable mixture "Dan-Dee" Floor Polish in Building No. 340 for the reason that section 201 (e) and 131-2, chapter 10, Code of Ordinances, prohibits the manufacture, storage and sale of dry goods, or other highly inflammable material in the same building where the manufacture, mixing or compounding of paints, varnish, lacquer or shellac is done."

and

WHEREAS, the decision of the fire commissioner dated November 14, 1936, reads as follows:

"In answer to your request, please be advised that this department does not rescind an order and reissue it so that it may be taken to the Board of Standards and Appeals when you have exceeded the time limit in which to file your appeal.

However, we have been advised that the Board of Standards and Appeals will accept a letter from this department as the basis for an appeal. For that purpose, this communication is forwarded and will certify that order No. 68991-LC was issued against Twin City Shellac Co., Inc., and reads as follows:

'1. Discontinue the further manufacture of an inflammable mixture "Dan-Dee" Floor Polish in Building No. 340 for the reason that section 201 (e) and

131-2, chapter 10, Code of Ordinances, prohibits the manufacture, storage and sale of dry goods, or other highly inflammable material in the same building where the manufacture, mixing or compounding of paints, varnish, lacquer or shellac is done.'"

and

WHEREAS, the building in question is of ordinary brick construction, 46 ft. x 60 ft. in area, 2 stories, 24 ft. in height, located in an unrestricted use district and occupied as follows: Cellar—boiler room, no persons; first floor—office and manufacturing of shellac products, 7 persons; second floor—manufacturing of shellac products, 7 persons; and

WHEREAS, it is proposed to continue the use of the premises for the manufacture of shellac products in which the following raw materials will be used:

20 barrels rosin
80 drums denatured alcohol
16,000 pounds spirit soluble gums
10 drums mineral spirits
5,000 pounds wax
5,000 gallons shellac varnish
12,000 gallons imitation shellac varnish
200 gallons varnish remover—FD No. B96757
1 drum commercial castor oil

and

WHEREAS, the applicant contends that applicant has been engaged in the manufacture of shellac for several years and in order to meet competition, has engaged in the manufacture of a so-called floor polish, the principal base of which is shellac diluted with alcohol. The ingredients are similar to those used in the manufacture of shellac, except that the mixture is of a different proportion; the so-called polish does not involve any greater hazard than the manufacture of shellac; that the Fire Department has no objection to the storage of the floor polish and states that it would be satisfied to restore the permit if the Twin City Shellac Co. would label the cans by another name than "polish." It is stated that the word "lacquer" or "finish" would be satisfactory to it; that section 201 (e) of chapter 10 of the Code of Ordinances relates to the inflammability of the stored merchandise; that the so-called "polish" is no more inflammable or dangerous than the shellac itself; that simply because most floor polishes are usually made of wax and for that reason have been ruled to be inflammable does not bring applicant's shellac polish within the ordinance; that the applicant would ordinarily change the name from polish to finish or to lacquer, but that would not make the product as saleable as it is under the better understood name of "POLISH"; and

WHEREAS, it appears that "Dan-Dee Floor Polish" is a diluted shellac and that the entire building is used for cutting shellac and packaging same; and

WHEREAS, this appeal was granted by the board January 5, 1937 on certain conditions and owner requested an amendment of the resolution and owner requested a further modification.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on January 5, 1937, permitting the manufacture of Dan-Dee floor polish, *on condition* that all packages shall be properly labeled *"combustible mixture"* or *"inflammable mixture" as determined after test by the Fire Department and shall bear the* Fire Department permit number thereon; that the Dan-Dee floor polish shall consist mainly of shellac, gum and alcohol, and permitting the continuation of packaging this product in one-gallon cans and bottles not exceeding 32 oz.; and that in all other respects all laws, rules and requirements shall be complied with.

72-37-A.

APPLICANT—Frank and Julius Zizmor, for Acme Shellac Products Corporation, lessee.

SUBJECT—Application for consideration — reopening — amendment re appeal from an order of the fire commissioner (previously granted by the board).

PREMISES AFFECTED—48-10 to 48-20 30th street, west side, 37 ft. north of Hunters Point avenue (Block No. 115, Lot No. 201), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Frank Zizmor.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross 4
Negative 0
Absent 0

THE RESOLUTION—

(72-37-A)

WHEREAS, Acme Shellac Products Corporation, applicant and lessee, filed February 26, 1937, an appeal from an order of the fire commissioner, affecting premises 48-10 to 48-20 30th street, west side, 37 ft. north of Hunters Point avenue (Block No. 115, Lot No. 201), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner, dated February 9, 1937, re. Order No. 70089-LC, reads:

"1. Remove from the premises and discontinue the further storage and manufacture of an inflammable mixture (E.Z. Floor Polish) on the same premises where shellac, varnish is manufactured for the reason that the manufacture of an inflammable mixture (E.Z. Floor Polish) on the same premises where shellac varnish is manufactured is a violation of Subdivision of 2F, Section 131, Chapter 10, Code of Ordinances New York, which reads as follows:

'No permit for the manufacture of inflammable mixtures (E.Z. Floor Polish) shall be issued for any building where dry goods or other material of a highly inflammable nature are manufactured stored or sold.'"

and

WHEREAS, the premises in question consist of a two story non-fireproof building 24 ft. in height and 112 ft. by 90 ft. in area, erected in 1934 and 1936 and occupied as follows: 1st floor—factory, 10 persons; 2d floor—office, 3 persons; mezzanine—factory, 1 person; for which Certificate of Occupancy No. 3637 was issued December 31, 1936; and

WHEREAS, the applicant contends that the entire building occupied by the applicant is used for the cutting, manufacture and packaging of shellac and shellac products that the fire department has issued a permit to the applicant for the manufacture of shellac and shellac products and the applicant herein has been manufacturing shellac and shellac products for several years; that one of the products manufactured by the applicant to which the Fire Department of the City of New York objects is E.Z. Floor Polish; that E.Z. Floor Polish is shellac diluted with alcohol; that if the applicant were to label the product E.Z. Floor Polish "Shellac," the Fire Department would have no objection. However, to cease using the name "E.Z. Floor Polish" would undoubtedly retard the sale of this product, inasmuch as the ultimate consumer will only purchase an article which is labeled "polish" for polishing purpose; that inflammable mixtures are not sold at the premises; that unless the applicant herein is permitted to manufacture E.Z. Floor Polish on the premises herein, will work an undue hardship on the said company, in that it will not be able to compete with the other shellac manufacturers in the city, who are also manufacturing floor polish similar in chemical composition to that manufactured by the applicant; and

WHEREAS, it appears that "E.Z. Floor Polish" is a diluted shellac and that the entire building is used for cutting shellac and packaging same; and

WHEREAS, this appeal was granted by the board March 16, 1937, on certain conditions and owner requested an amendment of the resolution and now requests a further amendment.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of March 16, 1937, so that as amended the resolution shall read:

"*Resolved*, that the order of the fire commissioner, No. 70089-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the manufacture of E.Z. Floor Polish where shellac is also manufactured and under the same rules governing the manufacture of shellac, *on condition* that all packaging and labeling shall conform to the requirements of the fire commissioner governing inflammable or incombustible mixtures as determined by test of this material and that the permit number of the Fire Department shall also appear thereon."

561-38-S.

APPLICANT—James J. Millman, for Kanlee Corporation, owner.

SUBJECT—Variation of Labor Law as cited in a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1646-1650Coney Island avenue, west side, 100 ft. south of Avenue M (Block No. 6573, Lot No. 12), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin A. Millman.

For Administration: S. Cohen, Dept. of Housing and Buildings.

ACTION OF BOARD—Laid over to September 13, 1938, 2 P.M., on request of appellant's representative.

VARIATION OF LABOR LAW

697-38-S.

APPLICANT—Joseph J. Furman, for Wm. W. Fuller Estate, owner.

SUBJECT—Variation of the Labor Law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—576-578 Fifth avenue, southwest corner of West 47th street (Block No. 1262, Lot No. 41), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph J. Furman.

For Administration: Inspector Anderson, Fire Department.

ACTION OF BOARD—Granted.

THE VOTE TO GRANT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent	0

THE RESOLUTION—

(697-38-S)

WHEREAS, Joseph J. Furman for Wm. W. Fuller Estate, owner, filed July 29, 1938, an application with the Board of Standards and Appeals for a variation from the requirements of the Labor Law affecting the premises 576-578 Fifth avenue, southwest corner West 47th street (Block No. 1262, Lot No. 41), Borough of Manhattan, and

WHEREAS, the decision of the fire commissioner dated July 6, 1938, reads:

"In reply to your request to dismiss Order 36660 LD, issued against the above premises and requiring a fire drill to be conducted at least once a month. You are advised that our latest inspection shows 133 persons in the building, of which 20 persons are employed at factory work. Inspection shows at least five factory tenants employing at least one tenth of all the persons in the building at factory work.

This tenant factory occupancy within the meaning of Article 1, Section 10 of the State Labor Law defines the building as a "factory building."

Section 279 of the Labor Law requires a Fire Drill to be conducted in every "factory building" over two stories in height in which more than 25 persons are employed above the ground floor. All of the occupants of the building must participate, as the inspection shows more than 25 persons above the ground floor in a non-sprinklered factory building.

Your request to rescind the order must be denied."

and

WHEREAS, the building is fireproof, 11 stories and pent house in height, 55 feet, 11 inches in area, occupied, offices, showrooms, dental laboratory, with some factory occupancy, not more than 35 persons per story; and

WHEREAS, Order No. 36660 LD was originally issued by commissioner of buildings, August 3, 1937, but by provisions of the charter is now an order of the fire commissioner and said order require a "fire drill."

WHEREAS, in the opinion of the board, the building under appeal is not a factory building, in view of there being not more than 35 persons at work and that the order and decision of the fire commissioner be and it hereby is modified and the appeal be and it hereby is granted.

Resolved, that the order and decision of the fire commissioner be and they hereby are *modified* and that the appeal be and it hereby is *granted*.

BUILDING ZONE APPLICATIONS

121-37-BZ.

APPLICANT—Arthur W. Renander, for George E. Cogswell, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar — re application (decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution to permit in a business use district the parking of more than five motor vehicles for temporary period of not more than two (2) years (previously withdrawn).

PREMISES AFFECTED—89-47 164th street, west side, 324.60 ft. north of Jamaica avenue (Block No. 865, Lot No. 83), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: William A. Eckert.

ACTION OF BOARD—Application reopened and restored to calendar, usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent	0

205-30-BZ.

APPLICANT—John G. Schuhmann, for Slio Realty Company, owner.

SUBJECT—Application for consideration—reopening and rehearing under new proposal (re decision of the borough superintendent of buildings (under section 7c and 21 of the building zone resolution to permit in a residence use district the alteration and change of occupancy of part of the first story of an existing multiple dwelling (tenement) to business use (stores); (previously denied by the board).

PREMISES AFFECTED—1215 Grand Concourse, northwest corner of East 167th street (Block No. 2464, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: John G. Schuhmann.

ACTION OF BOARD—Application reopened and restored

to calendar, usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross 4
Negative 0
Absent 0

74-37-BZ.

APPLICANT—A. J. Simberg, for Benjamin Lazaroff, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete work (time having expired by limitation)—re application (decision of the commissioner of buildings) under section 7c of the building zone resolution, permitting in a residence use district the extension of an existing business use and, also, the omission of the required rear yard.

PREMISES AFFECTED—255 West 18th street, north side, 100 ft. east of Eighth avenue (Block No. 768, Lot No. 7), Borough of Manhattan.

APPEARANCES—
For Applicant: A. J. Simberg.

ACTION OF BOARD—Application reopened and set for Hearing September 27th, 10 A. M.

THE VOTE TO REOPEN AND SET FOR HEARING—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross 4
Negative 0
Absent 0

397-37-BZ.

APPLICANT—Joseph Previte, for Jackson Avenue Corp. & Q. B. P. Inc., owner.

SUBJECT—Application—re (decision of the Commissioner of Buildings), under section 7-h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—70-01 to 70-19—35th avenue, 34-52 to 34-62—71st street, northeast corner and 34-47 to 34-61—70th street, northwest corner of 35th avenue (Block No. 1257, Lot Nos. 32 and 44), Jackson Heights, Borough of Queens.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Withdrawn on written request.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross 4
Negative 0
Absent 0

1066-25-BZ.

APPLICANT—Rolan Lievendag, owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the Commissioner of Buildings) previously granted under section 21 of the building zone resolution, permitting in a business use district the alteration of a garage for more than five (5) motor vehicles (with permit for sale of gasoline) which was granted by the board on March 30, 1926 (and extended into the residence district under Cal. No. 74-28-BZ) so as to form an alcove gasoline station; reopened June 7, 1938 and resolution amended June 28, 1938.

PREMISES AFFECTED—Northwest corner of 46th (Queens) avenue and 164th (24th) street (Block No. 442, Lot No. 81), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Mr. Lievendag.

ACTION OF BOARD—Reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross 4
Negative 0
Absent 0

THE RESOLUTION—

(1066-25-BZ)

WHEREAS, this application affecting premises northwest corner of 46th avenue (Queens avenue) and 164th street (24th street) (Block No. 5442, Lot No. 81), Flushing, Borough of Queens, was granted by the board for a garage March 30, 1926, on certain conditions and amended to extend the garage into the residence use district under Cal. No. 74-38-BZ, April 2, 1938; further amended July 16, 1935; September 10, 1935; and June 28, 1938; and

WHEREAS, the owner requested a reopening of the application to omit the requirement that there shall not be more than one entrance to the garage from Queens avenue; and owner now requests a further amendment.

WHEREAS, the application was reopened by vote of the board August 16, 1938.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of March 30, 1926, as amended July 16, 1935, September 10, 1935, and June 28, 1938, so that as amended this resolution will read:

"*Resolved,* that the resolution permitting the erection of the garage adopted by the board on March 30, 1926, and the extension of the garage permitted by resolution adopted by the board on April 2, 1928, under Cal. No. 74-28-BZ, be and it hereby is *amended* by adding thereto the following:

"that the front wall of the garage constructed in accordance with the requirements of Cal. No. 1066-25-BZ, may be reconstructed and set back for a depth of approximately 12 feet, as indicated on plans filed, marked 'received April 18, 1935', to provide for a gasoline selling area along 46th avenue, known as Queens avenue, *on condition* that this area shall be substantially at the level of Queens avenue and shall be cement paved; that no gasoline pumps shall be erected except in the alcoves indicated in the new front wall; that these alcoves shall be built of brick with no openings therefrom into the garage; that the entrances to the garage from Queens avenue may be arranged as indicated on revised plan marked "Received June 3 1938"; that curb cuts from 164th street shall not exceed in width and number those now existing; that no portable gasoline pumps shall be used on or from the premises; that any automobile repairing carried on in the premises shall be limited to the use of manual tools and motor driven tools requiring not more than ½ h.p. each and excluding the use of acetylene torches, forges and anvils; that all permits shall be obtained and all work completed within one year from the date of this amended resolution; that other than as amended herein, the resolution adopted by the board on March 30, 1926, under Cal. No. 1066-25-BZ, as extended by resolution adopted on April 2, 1928, under Cal. No. 74-28-BZ shall be complied with in all respects."

Resolved further, "that the front wall of the garage constructed in accordance with the requirements of Cal. No. 1066-25-BZ, may be reconstructed and set back for a depth of approximately 13 feet, 4 inches, as indicated on plans filed with this appeal marked 'Received April 18, 1935', to provide for a gasoline selling area along 46th avenue, known as Queens avenue, on condition that this area shall be substantially at the level

Queens avenue and shall be cement paved; that the entrances to the garage from Queens avenue may be arranged as indicated on revised plan marked 'Received June 3, 1938'; etc. same as previous resolution.

288-38-BZ.

APPLICANT—Paul Friedman, for Brooklyn Trust Company, Trustees.

SUBJECT—Application for consideration — reopening — amendment re application (decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, permitting in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—602-622 Brightwater court, 601-643Riegelman boardwalk, 3153-3173 Brighton 6th street and 3288-3310 Coney Island avenue (Block No. 7284, Lot Nos. 2271 and 2275), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman and Vincent Padula.

ACTION OF BOARD—Application reopened, resolution amended and time extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent	0

THE VOTE TO EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Deputy Chief Ross	4
Negative	0
Absent	0

THE RESOLUTION—

(288-38-BZ)

WHEREAS, Paul Friedman, for Brooklyn Trust Co., owner, filed April 19, 1938, an application under the building zone resolution to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; Premises: 602-622 Brightwater court, 601-643 Riegelman boardwalk, 3153-3173 Brighton Sixth street and 3288-3310 Coney Island avenue (Block No. 7284-10, Lot Nos. 2271, and 2275), Borough of Brooklyn; and

WHEREAS, this application was granted by the board at its meeting July 8, 1938 on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 8, 1938, only so far as it refers to the fencing, so that as amended the resolution will read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*, under section 7h, for a period of two years, from the date of this action, to permit the vacant portion of the plot under appeal to be used for the parking and storage of more than five motor vehicles, restricted to automobiles of the pleasure car type, *on condition* that such portion shall be surfaced with steam cinders or other suitable material, properly rolled and treated with a binder to prevent dusting and properly graded, so as to provide surface drainage; that there shall be erected on the street lines of Brighton 6th street, Brightwater court and Coney Island avenue, a substantial woven wire fence not less than 6 ft. in height, supported by steel pipe posts *or heavy wooden posts with heavy wood rails or new wire cables 5/8 in. in diameter, spaced not more than 2 ft. apart to a height of not less than 4 ft.*; that the openings for exit and entrance in this fence shall be restricted to three, not over 20 ft. in width, one to Brightwater court to the center, one to Coney Island avenue and one to Brighton 6th street; that these openings to these latter streets shall be not nearer than 50 ft. to the street intersections; that all existing signs shall be removed and no signs shall be erected, except a neat sign at each entrance, not over 15 sq. ft. in area each and attached to the fence, advertising the parking and storage use; that any lights for general illumination shall be on post standards with metal reflectors so placed as to reflect away from adjoining residential occupancies; that ample aisles shall be maintained at all times to provide ready exit and entrance; that concrete or wooden curb bumpers shall be located inside the fence lines and within 4 ft. thereof; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that no automobiles shall be parked within 10 ft. of the northrly side of Riegelman boardwalk or buildings facing thereon; that all permits shall be obtained and all work involved thereby completed within eight months from the date of this action; and that no certificate of occupancy shall be issued until work has been completed in compliance with the terms of this resolution.

Adjourned: 1:15 P. M.

EDWARD V. BARTON, Chief Clerk.

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 13, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

403-37-BZ.

APPLICANT—Max Silver (lessee), for Reproduction Furniture Manufacturing Company, Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles for a temporary period of two (2) years.

PREMISES AFFECTED—507-511 Sheffield avenue, east side, 40 ft. south of Livonia avenue (Block No. 3822, part of Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry Silver.

For Opposition: Jerome N. Wanshel.

ACTION OF BOARD—Placed on reserve calendar.

5-28-BZ.

APPLICANT—Paul Friedman, for Parkway Center Building Corporation, owner.

SUBJECT—Application reopened June 14, 1938 (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station (previously denied).

PREMISES AFFECTED—384-388 Hawthorne street and 664-674 New York avenue, southwest corner (Block No. 4819, Lot No. 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman, Patrick A. Conroy, A. S. Gotterer.

For Opposition: Abram Schlefstein, Miles F. McDonald and David Larson.

ACTION OF BOARD—Laid over to September 27, 1938, 2 P. M. to permit committee of board to make report so that board can reach decision without any further argument.

MINUTES

488-38-BZ.

APPLICANT—George A. Aliano, for Hatfield & Bell, Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7a of the building zone resolution, to permit in a residence use district the alteration and extension of an existing soda manufacturing and bottling works.

PREMISES AFFECTED—317-323 97th street, north side, 132 ft. 3¼ in. east of Third avenue (Block No. 6122, Lot No. 62), Borough of Brooklyn.

APPEARANCES—

For Applicant: George A. Aliano, Harry L. Yakel and Robert G. Hatfield.

For Opposition: James P. Farrell, Joseph Shlicta, Julian V. Carabba and C. W. Ryer.

ACTION OF BOARD—Granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(488-38-BZ)

WHEREAS, George A. Aliano, for Hatfield and Bell, Inc., owner, filed June 14, 1938 an application under the building zone resolution to permit in a residence use district the alteration and extension of an existing soda manufacturing and bottlings works; Premises: 317-323 97th street, north side, 132 ft. 3¼ in. east of Third avenue (Block No. 6122, Lot No. 62), Borough of Brooklyn, and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 13, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 97th street is in a residence and business use district; 96th street is in a residence and business use district; and Third avenue is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated June 3, 1938, re Application No. 7658-38 reads:

"1. The erection of a building for a business use in a residence district is contrary to the zone resolution, article II, section 3."

and

WHEREAS, the building is of non-fireproof construction one and two stories in height, with a frontage of 45 ft. 6 in., depth of 97 ft. 2 in. occupied as soda manufacturing and bottling works; it is proposed to remove a portion of the existing frame building and substitute a brick structure extending to the building and side lot line; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that provisions of section 7, sub-division "A" of the building zone resolution, under which this application was made, empowered the board to exercise its discretion and to grant this application under such conditions as will safeguard the character of the more restricted district;

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7-A, to permit the reconstruction of the factory building substantially as indicated on plans filed with this appeal, *on condition* that the architectural design shall be followed substantially as indicated; that the building shall not be further extended in height or area; that the machinery that is installed for the continuation of the manufacturing process of bottling shall be so arranged and so cushioned as to minimize the noise; that the manufacturing operations shall at no time be continued beyond the hour of 8:00 P. M. or start sooner than 6:00 A. M. on any working day and no manufacturing shall be carried on on Sundays or legal holidays; that the driveway shall be paved with a resilient surface, such as colprovia or equivalent to minimize noise; that the wall and gate shall be constructed on the building line at the driveway as indicated; that no manufacturing operation shall be continued or extended to the adjacent Lot 61 nor to the rear Lot 18 other than the existing two-story stable-garage; that no advertising signs other than a neat sign at the entrance to the building shall be constructed; and that all permits shall be obtained and all work completed within one year from the date of this action.

400-38-BZ.

APPLICANT—John Burke for Mary A. Kenney, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—339-349 Columbia street, east side, 150 ft. north of Coles street (Block No. 510, Lot No. 6), Borough of Brooklyn.

APPEARANCES—

For Applicant: John Burke.

For Administration: Inspector Maher.

ACTION OF BOARD—Granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(400-38-BZ)

WHEREAS, John Burke, for Mary A. Kenney, owner, filed May 13, 1938 an application under the building zone resolution to permit in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; Premises: 339-349 Columbia street, east side, 150 ft. north of Coles street (Block No. 510, Lot No. 6), Borough of Brooklyn, and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 13, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Columbia street is in a business and unrestricted use district; Hamilton avenue is in a business and unrestricted use district; Coles street is in a business use district; and Seabring avenue is in an unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated May 6, 1938, re Alt. Permit No. 3633 and Amdt. Application No. 5981-38 reads:

"1. Proposed change of occupancy of above premises from office and shop to storage garage for over 5 cars not permitted in business use zone, same being in violation of Art. II, Sec. 4 (A 15) of zone resolution.

Above app. is hereby denied."

and

WHEREAS, the building is of non-fireproof construction one story in height, with a frontage of 74 ft. 2 in. and depth of 111 ft. 9 in. (irreg.) to be occupied as a garage for more than five motor vehicles.

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that hardship existed to warrant the granting, under section 21, of the use desired within the business area of the plot;

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that tha application be and it hereby is *granted* under section 21 to permit the premises under appeal to be occupied as a one-story storage garage, *on condition* that the building shall be constructed and arranged substantially as indicated on plans filed with this appeal and that in all other respects it shall comply with all laws and regulations applicable thereto; that not more than two (2) 550-gallon storage tanks shall be installed on the premises; that any gas pumps erected shall be entirely within the building; that the side line and rear line walls shall be unpierced other than a door if required for fire exit; that no opening shall be between this building and any adjoining building; that the ceiling shall be fire-retarded throughout in accordance with the rules of the Board of Standards and Appeals; that the skylights shall be glazed with plain glass with screens above and below; that no signs shall be erected except at the entrances from Columbia street; that no automobile repairing shall be carried on; that no portable gasoline pumps shall be used on or from the premises; that the two cuts in the curb shall not be wider than 10 ft. each; and that all permits shall be obtained and all work shall be completed within three months from the date of this action.

305-38-BZ.

APPLICANT—Thomas M. Bell, for Dry Dock Savings Institution and George E. Coleman, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7e of the building zone resolution, to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—123-127 West 56th street, north side, 325 ft. west of Sixth avenue (Block No. 1009, Lot Nos. 17, 18 and 19), Borough of Manhattan.

APPEARANCES—

For Applicant: Thomas M. Bell, Eliot L. Ward.

For Opposition: Robert Gerstenlaur, Benjamin Gollay, Nathan P. Meyer, J. Tobias Goldberg, Maurice A. Taub, M. K. McDermott, Samuel W. Bass, Arthur N. Little, and H. M. Thompson.

For Administration: Chief Inspector Goldfinger, Department of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(305-38-BZ)

WHEREAS, Thomas M. Bell for Dry Dock Savings Institution and George E. Coleman, owner, filed April 23, 1938, an application under the building zone resolution to permit in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles; Premises: 123-127 West 56th street, north side, 323 ft. west of Sixth avenue (Block No. 1009, Lot Nos. 17, 18 and 19), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 13, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 56th street is in a business use district; West 57th street is in a restricted retail use district; Seventh avenue is in a retail and restricted retail use district; Sixth avenue is in a retail and restricted retail use district; and

WHEREAS, the decision of the borough superintendent of Buildings, dated April 4, 1932 reads: Re N.B. Appl. No. 36-38:

"1. Contrary to Building Zone Resolution, Section 4-15, to use premises or a building erected on premises for storage of more than 5 motor vehicles.

2. Comply with Section 21, Building Zone Resolution for location of garage for more than 5 motor vehicles."

WHEREAS, the premises consist of a plot of ground having a frontage of 66 ft. 8 in. and a depth of 100 ft. 10 in. Upon the west portion of the plot there are two 4-story dwellings and on the east portion a garage for more than 5 motor vehicles. It is proposed to demolish these buildings and to erect upon the site a 3-story fireproof garage for more than 5 motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that in view of the existence of a school in the same portion of the street between the intersecting streets as this proposed garage it is precluded from making a favorable decision; and

WHEREAS, the board deemed that while there was a basis for the use of its discretion under the provisions of section 7, subdivision E of the Building Zone Resolution, that such discretion should not be exercised and that no hardship existed.

Resolved, that the decision of the borough superintendent be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

10-38-BZ.

APPLICANT—Kissena Amusement Corporation (lessee) for Stellbea Theatres Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—136-20 37th avenue, south side, 100 ft. east of Main street (Block No. 4978, Lot No. 9), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Meyer Wilen.

For Opposition: Catherine Fergus and Violet Klimovitz.

ACTION OF BOARD—Granted on condition.

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(10-38-BZ)

WHEREAS, Kissena Amusement Corp., lessee, for Stellbea Theatres Corporation, owner, filed January 6, 1938 an application under the building zone resolution to permit in a business use district the parking of more than five (5) motor vehicles; Premises: 130-20 37th avenue, south side, 100 ft. east of Main street (Block No. 4978, Lot No. 9), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 13, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 37th avenue is in a business use district; 38th avenue is in a business use district and Main street is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated June 30, 1938, reads:

"You are hereby advised as attorney for the Kissena Amusement Corporation, Mr. Dave Rosenzweig, President, that your application made to this depart-

ment for issuance of certificate of occupancy to cover use of premises situated on the south side of 37th avenue, 100 ft. east of Main street, Flushing, for parking purposes for more than five motor vehicles, is hereby *denied* as this location is situated in a business district, and such use or occupancy would be in violation of subdivision 15, section 4, of the Building Zone Resolution of the City of New York."

WHEREAS, the premises consist of a plot of ground having a frontage of 116.5 ft. on 37th avenue and a depth of 76.34 ft. upon which there is located a one story frame shed 4 ft. 6 in. by 5 ft. 0 in. in area.

WHEREAS, the plot and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that this was a proper case to exercise its discretion under section 7, subdivision H, of the Building Zone Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted*, under section 7-H, *for a temporary period of two* (2) *years*, to permit that portion of the plot under appeal, not legally used as an exit from the adjoining theatre, to be occupied for parking and storage of automobiles, *on condition* that only automobiles of the pleasure-car type shall be stored and that the plot shall be levelled substantially to 37th avenue and surface with steam cinders or other suitable material, properly bound to prevent dusting, and graded so as to provide surface drainage towards 37th avenue; that there shall be erected on interior lot lines, where walls of adjacent buildings do not occur, a substantial woven-wire fence not less than 7 ft. in height; that a similar fence shall be erected along line of exit from the theatre to 37th avenue, so as to provide for the full width of the theatre exit, and a similar fence to be erected along building line of 37th avenue, except for two entrances not over 20 ft. in width each, with curb cuts opposite of similar width; that during term of this permit, no building shall be erected thereon except there may be erected a frame building as an office and shelter for attendant, provided such building shall not be over 150 sq. ft. in area and one story in height; that no use shall be permitted other than the parking and storage herein permitted; that crossing the curb from 37th avenue opposite theatre exit shall be discontinued; that no sign shall be erected on premises other than a neat sign, attached to fence, at the entrance, advertising the parking use; and that all permits shall be obtained and all work shall be completed within six months from the date of this action.

Adjourned, 2:45 P. M.

EDWARD V. BARTON, Chief Clerk.

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 13, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

568-38-A.

APPLICANT—Terminal Warehouse Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—632-636 West 28th street, south side (Terminal Warehouse Building); (Block No. 673, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: E. Zuckerman.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Withdrawn, violation to be rescinded.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

306-38-A.

APPLICANT—Irene Thatcher, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. Newman.

ACTION OF BOARD—Laid over to November 15, 1938, at 2 P. M. pending action by Board of Estimate and Apportionment.

745-38-A.

APPLICANT—John Joseph Carroll, for Angelina Castellano, owner.

SUBJECT—Appeal from the acting borough superintendent of buildings.

PREMISES AFFECTED—697 Gates avenue, north side, 25 ft. east of Sumner avenue (Block No. 1629, Lot No. 75), Borough of Brooklyn.

APPEARANCES—

For Applicant: John J. Carroll.

For Administration: Assistant Engineer Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to September 20, 1938, 2 P. M. on request of appellant.

677-38-A.

APPLICANT—Hercules Liquor Products Corp., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—52 Sands street, northeast corner of Adams street (Block No. 86, Lot No. 7) Borough of Brooklyn.

APPEARANCES—

For Applicant: Percy Fagen.

For Administration: Inspector Meyer, Fire Dept

ACTION OF BOARD—Laid over to September 27, 1938 2 P. M. pending inspection by Chief Engineer o the Board.

704-38-A.

APPLICANT—James J. Millman, for Dodes Restauran Inc., owner.

SUBJECT—Appeal from an order of the borough super intendent of buildings.

PREMISES AFFECTED—142 West 46th street, sout side, 295 ft. east of Broadway (Block No. 99 Lot No. 52½), Borough of Manhattan.

APPEARANCES—

For Applicant: James J. Millman.

For Administration: Inspector Fred Dahlem, D partment of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative .....

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....

Absent .....

THE RESOLUTION—

(704-38-A)

WHEREAS, James J. Millman, for Dodes Restaurant, In owner, filed August 8, 1938, an appeal from an order the borough superintendent of buildings, affecting premis 142 West 46th street, south side, 295 ft. east of Broadw

Block No. 998, Lot No. 52½), Borough of Manhattan; nd

WHEREAS, the order of the borough superintendent, dated ebruary 1, 1938, re. Order No. 165-1938, reads:

"Sprinkler system has not been installed in public hall as called for in plan. Building is not provided with a second means of egress (Alteration 2714-1937)." nd

WHEREAS, said order was repeated in a decision of the orough superintendent, dated July 27, 1938; and

WHEREAS, the building is five stories, 55 ft. in height, 15 t. by 100 ft. 6 in. in area at 1st floor and 15 ft. by 90 ft. n area at typical floor level; of non-fireproof construction; rected in 1928, located in a retail use district. Certificate f Occupancy No. 14890 was issued January 26, 1929, permitting the building to be occupied as follows: Cellar—torage and boiler room; 1st floor—restaurant; 2nd floor—ame; 3rd floor—non-housekeeping apartment; 4th floor—ame; 5th floor—one housekeeping apartment; and

WHEREAS, the applicant contends that the building was ltered as per permit Alt. 2714-37, the alteration now comleted with the exception of the sprinkler system not having been installed in the stairhall; that the building is ccupied as a Class B Multiple Dwelling; that the entrance nd stairhall from street to roof is enclosed in 4 in. terra otta and angle iron frame partitions with fireproof self-losing doors at each door opening; that the stairway is ireproof; that there is absolutely no woodwork except or hardwood handrail in hall; that a sprinkler system in his case will not serve any purpose; and

WHEREAS, the application is for a modification of the Multiple Dwelling Law which cannot be legally modified by his board or any other administrative agency.

Resolved, that the order of the borough superintendent e and it hereby is *affirmed,* and that the appeal be and it ereby is *denied.*

09-38-A.

APPLICANT—J. R. Shays, Jr., Inc., for James G. and John T. Bishop, Cecelia A. Bishop, and Marie Christiana Dorsey, administrators of Estate of John Thomas Smith.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—100 Greenwich street, west side, 59 ft. north of Rector street (Block No. 53, Lot No. 38), Borough of Manhattan.

APPEARANCES—

For Applicant: J. R. Shays, Jr., and Carl Van Derclute.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(709-38-A)

WHEREAS, J. R. Shays, Jr., Inc., for James G., John T. nd Cecelia A. Bishop and Marie Christiana Dorsey, administrators of estate of John Thomas Smith, owners, iled August 10, 1938, an appeal from an order and a decision of the fire commissioner affecting premises 100 Greenwich street, west side, 59 ft. north of Rector street (Block No. 53, Lot No. 38), Borough of Manhattan, and

WHEREAS, order No. 13082-LC, issued by the fire commissioner June 17, 1938, reads as follows:

"Discontinue the maintenance and operation of a still film laboratory in the above mentioned premises for the following principal reasons:

1. Building is not of fireproof construction. Sec. C-19-117-0-4.

2. Building is not equipped with an approved system of automatic sprinklers. Sec. C-19-117-0-5.

3. Rooms in which inflammable motion picture film is handled, are not of fireproof construction. Sec. C-19-118-0-1."

and

WHEREAS, the said order was repeated in a decision of the fire commissioner dated August 10, 1938; and

WHEREAS, the building is 5 stories, 75 ft. in height, 49.10 ft. by 91.2 ft. in area of non-fireproof construction, located in an unrestricted use district; erected in 1890 and occupied since 1924 as follows: Cellar—storage; 1st floor—Kodak and hardware stores, 10 persons; 2nd floor—photograph studio, 8 persons; 3rd floor—vacant; 4th floor—bookbinding, 4 persons; 5th floor—printing, 8 persons; and

WHEREAS, the applicant contends that the lessee has been engaged in the past 12 years in the business of photo-printing and blue-printing as well as photo finishing of films for amateurs; that the maximum amount of films on the premises at any one time will not exceed 6, or a total of 30 ft.; that it is necessary to handle the 35 millimeter with a nitrate base in order to hold other amateur photographic business.

Resolved, that the order of the fire commissioner, No. 13082-LC, be and it hereby is *modified,* and that the appeal be and it hereby is *granted on condition* that not more than 30 ft. of film shall be exposed at any time; that the method of drying the film shall be by indirect method of heating device outside of the drying compartment; and that in all other respects the operation shall be conducted and the premises shall be arranged to the satisfaction of the fire commissioner.

710-38-A.

APPLICANT—John J. Gilmartin, for Pleasant Waste Material Co., Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—416 Pleasant avenue, southeast corner of East 122nd street (Block No. 1818, Lot 24), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Gilmartin.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(710-38-A)

WHEREAS, John J. Gilmartin, for Pleasant Waste Material Co., Inc., owner, filed on August 10, 1938, an appeal from an order of the fire commissioner affecting premises 416 Pleasant avenue, southeast corner of East 122nd street (Block No. 1818, Lot No. 24), Borough of Manhattan, and

WHEREAS, Order No. 11976 LC, issued by the fire commissioner March 18, 1938, reads as follows:

"4—Provide a separate and distinct system of automatic sprinklers throughout building. Note: Plant to be filed with and approved by the Department of Housing and Buildings.

Chapter 19, Article 26, Title C, Part I, Administrative Code of the City of New York."

and

WHEREAS, the said order was repeated in a decision of the fire commissioner dated July 20, 1938; and

WHEREAS, the building is 4 stories, 60 ft. in height, 50 ft. 9 in. by 58 ft. in area, of fireproof construction, located in an unrestricted use district, erected in 1928 and occupied as follows: Cellar—storage of baled rags, no persons; 1st floor—offices, storage of baled rags, 5 persons; 2nd floor—storage of baled rags, 10 persons; 3rd floor—storage of rags, 15 persons; 4th koor—storage of baled rags, 10 persons; for which Certificate of Occupancy No. 15114 was

issued April 4, 1929, permitting the occupancy of the building as a storage warehouse, and

WHEREAS, the applicant contends that in the year 1930 the Division of Fire Prevention issued a similar order for the installation of a sprinkler system and after a survey and investigation the order was rescinded for the reason that the law did not apply inasmuch as baled rags cannot be considered combustible material and the fact that not more than 15 tons of loose rags are on the premises at any one time. The building as well as being provided with two 4 ft. 0 in. fireproof enclosed stairways.

Resolved, that the order of the fire commissioner, No. 11976-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall at no time be more than 3 tons of loose rags in the building, in addition to baled rags; and that such portable fire-fighting appliances shall be installed throughout the building as the fire commissioner shall direct.

725-38-A.

APPLICANT—Industrial Finishing Corporation, lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—38-02 22nd street, southwest corner of 38th avenue (Block No. 391. Lot No. 18), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Irving A. Cook and Richard H. Nappi.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(725-38-A)

WHEREAS, Industrial Finishing Corporation, lessee, for Bankers Trust Company, owner, filed August 11, 1938, an appeal from an order and decision of the fire commissioner affecting premises 38-02 22nd street, southwest corner of 38th avenue (Block No. 391, Lot No. 18), L. I. C., Borough of Queens; and

WHEREAS, Order No. 74060-LC, issued by the fire commissioner, January 25, 1938, reads as follows:

"5. Discontinue the maintenance of any open flames or sparking device within floor area where spray coating is carried on, of separate said open flames or sparking device by partitions constructed of fireproof or fire-resisting material; Rule 6.1.8-a, Spray Rules."

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated July 26, 1938; and

WHEREAS, the building in question is one story, 15 ft. in height, 100 by 100 ft. in area, of non-fireproof construction, equipped with sprinkler system in spray and storage rooms, erected in 1926 and located in an unrestricted use district and occupied since January 1938 as follows: Cellar—boiler room; 1st floor—metal finishing, 10 persons; Certificate of Occupancy No. 43104 was issued March 14, 1930 for one story brick factory warehouse; and

WHEREAS, the applicant contends that all ovens on the premises are Gehnrich Indirect Gas Heat Ovens, the approval of which type has been of long standing. All ovens are properly vented through the roof of the building as required. Gas chambers are fully enclosed. The ovens are ignited by means of a flexible cable inserted into the gas chambers. Such lighting takes place once a day. Fire hazards do not exist due to the fact that spray booths are properly equipped to exhaust any vapors created. The erection of any partition separating spray booths from ovens would render operation of our plant impossible. From the standpoint of fire and health our plant is conceded to be the safest of its kind in Greater New York.

Resolved, that the order of the fire commissioner, No. 74060-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that the Gehnrich oven shall be vented to the outer air; that no spray booth or inflammable material shall be used on any work nearer to the ovens than 15 ft., and that in all other respects the occupancy and equipment meet all requirements applicable thereto.

773-38-A.

APPLICANT—Van Wart & Ackerman for Jacob Ruppert, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1601-1607 Third avenue, northeast corner of East 90th street (Block No. 1536, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank G. Ackerman.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(773-38-A)

WHEREAS, Van Wart & Ackerman for Jacob Ruppert, owner, filed September 7, 1938, an appeal from an order and a decision of the fire commissioner affecting premises 1601-1607 Third avenue, northeast corner of East 90th street (Block No. 1536, Lot. No. 1), Borough of Manhattan; and

WHEREAS, Order No. 442-LF, issued by the fire commissioner May 11, 1938, reads as follows:

"1—Install an approved standpipe system in accordance with the rules of the Board of Standards and Appeals. Art. 17, Ch. 26, Adm. Code."

and

WHEREAS, said order was referred to the order of the fire commissioner, dated September 2, 1938, filed with this appeal, and

WHEREAS, the building is 3 stories, 47 ft. 11 in. in height, 100 by 200 ft. in area, of fireproof construction, except for the roof, which is wood, located partly in a business use and partly in an unrestricted use district, erected in 1905 and 1908 and occupied: Cellar—beer storage and shipping, 20 persons; 1st floor—bottle filling, 30 persons; 2nd floor—bottle labelling, 30 persons; 3rd floor—bottling, wood and metal case storage, for which no certificate of occupancy has been issued, and

WHEREAS, the applicant contends that the practical and proper installation of a standpipe system in these premises is not wholly possible due to the building's interior layout, stair arrangement and machinery and equipment layout; that the building is divided on the 1st and 2nd floors by a brick wall, running the full depth of the building; that the process of work in this building viz., the soaking and washing and filling of beer bottles is such as to keep most parts of the premises in a moist condition, ¾ in hose flushing outlets exist on all floors as indicated on plans and 25 ft. to 50 ft. of hose at each outlet; that other than for a limited number of wooden bottle cases stored on the topmost story and a few days supply of paper labels, all products handled in these premises are of non inflammable character and there is no hazardous use in any portion; that there is no boiler nor engine room; that it is proposed to install one 2½ gallon extinguisher for each 2500 sq. ft. of floor area and one 40-gallon portable chemical fire extinguisher for each 10,000 sq. ft. of floor area

Resolved, that the order of the fire commissioner, No. 442-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the hose flushing outlets shall be maintained on all floors, except

the top floor, with 25 or 50 ft. of hose to each outlet as required; that such fire extinguishers shall be maintained as the fire commissioner shall direct, and *granted so long* as the premises shall be maintained to the satisfaction of the fire commissioner and so long as the present use and occupancy shall continue, and shall comply with all laws, rules and regulations applicable thereto.

665-38-A.

APPLICANT—James J. Millman, for Louis Lebow, lessee.

PREMISES AFFECTED—513 Neptune avenue and 2804-2814 Holmes street, northwest corner (Block No. 7251, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: James J. Millman.

For Administration: Assistant Engineer Samuel Cohen, Department of Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(665-38-A)

WHEREAS, James J. Millman, for Louis Lebow, lessee, filed July 25, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises 513 Neptune avenue and 2804-14 Holmes street, northwest corner (Block No. 7251, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on Application No. 18611-37, issued July 22, 1938, reads as follows:

"Obj. 3 Pending. Increase of occupancy in frame dwelling on west. Sec. 56. Not further considered." and

WHEREAS, the building is 3 stories, 35 ft. in height, 25 by 77 ft. in area of frame construction, located in a business use district, erected in 1904 and occupied since 1920: Cellar—ordinary use; 1st floor—1 family; 2nd floor—2 families; 3rd floor—2 families; and

WHEREAS, the applicant contends that the building was erected in 1904 as a 4 family house under New Building 13007-1904; there are 7 rooms on the first floor and 8 rooms on each of the upper floors; that prior to the enactment of the multiple dwelling law, the building was altered by installing bath room and kitchen facilities in addition to the existing ones. Apartments on the 2nd and 3rd floors were divided and the size of each apartment was decreased and the number of apartments was thus increased to 5, that this is substantiated by 3 affidavits filed with the building department as to Application No. 116-37, and letters from the Brooklyn Borough Gas Company and Brooklyn Edison Company; that this proof entitled the owners to a certificate of occupancy for 5 families in accordance with section 56; and

WHEREAS, under the tenement house law under which the building was constructed in 1904, section 31 restricted the construction of a frame tenement house to three stories in height and not more than one family on any floor or three families in all; and

WHEREAS, it appears that additional apartments have been added without legal approval in view of which there is no basin under section 56 of the multiple dwelling law to legalize a condition illegally established.

Resolved, that the decision of the borough superintendent, on Application 18611-37 be and it hereby is *affirmed* and the appeal be and it hereby is ***denied***.

674-38-A.

APPLICANT—Saul H. Altholz, for G. E. Specialty Co., lessee.

PREMISES AFFECTED—155 Quincy street, north side, 60 ft. west of Bedford avenue (Block No. 1971, Lot No. 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Saul H. Altholz and A. Granowitter.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Withdrawn after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(674-38-A)

WHEREAS, Saul L. Altholz for G. E. Specialty Co., lessee, filed July 28, 1938, an appeal from an order of the fire commissioner affecting premises 155 Quincy street, north side, 66 ft. west of Bedford avenue (Block No. 1971, Lot No. 33), Borough of Brooklyn; and

WHEREAS, Order No. 75555-LC, issued by the fire commissioner May 28, 1938, reads as follows:

"You are hereby notified that an inspection of the above premises used to store oils, etc., shows that the following must be done before the permit requested by you can be issued:

1. Provide an approved underground storage system, for the storage of kerosene oil. Plans and specifications to be filed with and approved by the Division of Buildings, before the installation of tank is commenced. Tank to be tested and installation supervised by a representative of the Division of Combustibles, Fire Department.

3. Provide a separate compartment for the mixing tank, said compartment to be built upon suitable foundations, having the walls, floor and roof constructed of Portland cement concrete at least 6 in. thick or of brick masonry at least 8 in. thick, the brick to be laid in and covered with Portland cement mortar. Said compartment to have self-closing fireproof doors and windows. Plans and specifications in duplicate must be filed with and approved by this department before the above work may be commenced. C-19-59, Administrative Code.

5. Provide a ventilating flue for compartment wherein mixing tank is located on 1st story, said flue to be constructed of brick or concrete, lined with tile pipe at least 8 in. square inside measurement, and extending from the floor of the compartment at a point opposite the door to at least 6 ft. above the highest point of the roof, and at least 10 ft. from the nearest wall of any adjoining building.

6. Provide a double gooseneck 8 in. square, made of at least 18 gauge galvanized iron having the openings covered with 20 mesh brass wire screens for ventilating flue of mixing compartment. C-19-59, Administrative Code.

9. Separate the boiler from the remainder of the building, by an enclosure of solid masonry, at least 8 in. in thickness. Entrance to boiler room to be from exterior of building only. C-19-59, Administrative Code.

and

WHEREAS, said order was repeated in an order of the fire commissioner dated June 28, 1938; and

WHEREAS, the building is two stories in height, 25 by 45 ft., of non-fireproof construction, located in a business use district and erected in 1881 and occupied since 1936: Cellar—storage, no persons; 1st floor—manufacture of insecticides, 2 persons; 2nd floor—manufacture of water wax, 2 persons; for which Certificate of Occupancy No. 79897 was issued October 30, 1936 for the manufacture of oils and polishes, not more than 5 persons in entire building; and

WHEREAS, the Fire Department inspected and reported that the housekeeping conditions were unsatisfactory even without the use of alcohol which was the basis of the order, and that a serious menace existed.

Resolved, that the appeal be and it hereby is withdrawn to comply with order.

699-38-A.

APPLICANT—Samuel Rosenblum for Astorloid Mfg. Co., lessee.

PREMISES AFFECTED—21-29 Hopkins street, north side, 230 ft. east of Nostrand avenue (Block No. 1719, Lot No. 66), Borough of Brooklyn.

APPEARANCES—
For Applicant: Samuel Rosenblum.
For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(699-38-A)

WHEREAS, Samuel Rosenblum for Astorloid Manufacturing Co., lessee filed on August 4, 1938, an appeal from an order of the fire commissioner affecting premises 21-29 Hopkins street, north side, 230 ft. east of Nostrand avenue (Block No. 1719, Lot No. 66), Borough of Brooklyn, and

WHEREAS, Order No. 75254-LC, issued by the fire commissioner May 5, 1938, reads as follows:

"Forthwith remove all nitro-cellulose in the form of sheets, slabs, blocks and rods to be used as raw material, from above premises and discontinue the further storage, use and manufacture of same until the following orders are complied with:

2. Provide an approved metal cabinet for storage of celluloid discs in basement, and for the storage of all celluloid for further manufacture. Storage or celluloid cut outs in basement in wooden drawers is to be discontinued C-19-110.0-C.1, Administrative Code.

5. Reduce the storage of all lacquer, lacquer thinner, cement and ethyl acetate to 25 gallons. C-19-113-h, Administrative Code.

6. Protect all steam pipes or risers on all floors that are within 6 ft. 0 in. of floor with wire guards or non-combustible pipe covering. C-19-113-C, Administrative Code.

7. Provide suitable guards for radiators, on all floors, to prevent combustible material from coming in contact therewith. C-19-113-O-J-4-A, Administrative Code.

8. Keep all celluloid discs in process of manufacture or assemblying in approved type tote boxes. C-19-113—O-J-4-a, Administrative Code.

15. Provide an approved sprinkler system of two source supply for building. C-19-110-O-b-c, Administrative Code.

16. Discontinue practice of filing tote boxes on top of one another. C-19-113-4-c, Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated July 8, 1938; and

WHEREAS, the building is 4 stories, 52 ft. in height, 115 ft. by 90 ft. in area, of fireproof construction equipped with a standpipe and sprinkler system, located in an unrestricted use district, erected in 1919 and occupied since 1931 by one tenant throughout for the manufacture of boudoir sets and manicure sets and other novelties and specifically used and occupied as follows: Cellar—storage and metal stamping, 7 persons; 1st floor—office, packing and shipping, 17 persons; 2nd floor—assembling of mirrors, brushes, embossing of novelties with celluloid backs, 61 persons; 3rd floor—spraying metal stamping and soldering, 72 persons; 4th floor—plating, lacquering and metal polishing, 44 persons; and

WHEREAS, the applicant contends that the building is equipped with a standpipe system, connected to a 3,500-gallon tank on the roof and an automatic sprinkler system, connected to the street main; that the greatest percentage of the novelties manufactured on the premises is of metal; that the celluloid is not cut or trimmed but the completed article which comes from another building is embossed by placing in a stamping machine.

Resolved, that the order of the fire commissioner, No. 75254-LC, Items 2, 5, 6, 7, 8, 15 and 16, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that there shall be a heat control or thermostat to shut off the electric current in the event the heat used for embossing on the celluloid exceeds 250 degrees fahr.; that in all other respects all rules, laws and regulations applicable to the building and its occupancy shall be complied with.

440-21-A.

Applicant—Saul Goldsmith, for Dime Savings Bank, of Brooklyn, owner.

SUBJECT—Application for consideration — reopening and amendment—re appeal from an order of the borough superintendent of buildings.

PREMISES AFFECTED—166-176 Livingston street and 149-153 Schermerhorn street (Block No. ...., Lot No. ....), Borough of Brooklyn.

APPEARANCES—
For Applicant: Saul Goldsmith.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....
Negative .....
Absent .....

THE RESOLUTION—

(440-21-A)

WHEREAS, Frederick L. Cadman, for Mary L. Jones, owner, filed, April 5, 1921, an appeal with the Board of Standards and Appeals from an order of the fire commissioner, affecting premises 166-176 Livingston street and 153 Schermerhorn street, Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 17913-F, reads:

"1. Install standpipes 4 inches in diameter tested to withstand a pressure of 300 lbs. per square inch extending from cellar to roof with necessary check valves and 2½ inches regulation Fire Department outlets on each story (including basements, cellars and roofs) placed within main stairway enclosures. Each outlet to be provided with sufficient feet of 2½ inches standard hose attached thereto.";

and

WHEREAS, the building is fireproof, four stories and basement (52 ft.) in height, with a frontage of 125 ft. on Livingston street and 75 ft. on Schermerhorn street, with a depth of 171 ft. 6 in., occupied in the first story as retail stores and buffet lunch, 60 persons; second, third and fourth stories for shoe manufacturing, 67 persons per story, equipped with a sprinkler system, the means of egress consisting of an interior fireproof stairway extending from the basement to the fourth story in the Livingston street portion of the building, and a similar stairway extending from basement to roof in the Schermerhorn street portion the building being equipped with a two source automatic sprinkler system and a fire alarm signal system; and

WHEREAS, appellant contends that there are 28 portable fire buckets on the second floor, 3 large portable fire extinguishers, 3 portable pyrene extinguishers and 3 large barrels or tanks, each containing 6 portable fire buckets with fire extinguishing chemicals on the third floor and

large portable fire extinguishers, 3 portable pyrene extinguishers and 3 large barrels or tanks, each containing 5 portable fire buckets with fire extinguishing chemicals on the fourth floor.

WHEREAS, this appeal was granted by the board June 7, 1921 but an extension to the building has since been erected.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on June 7, 1921, so that as amended it shall read:

Resolved, that the order of the fire commissioner be and it hereby is *reversed* and the appeal be and it hereby is *granted*.

and in the event there is a one-story extension erected toward the center of the plot the determination of the board may still apply, provided the extension does not exceed 2,500 sq. ft. in area and is not more than one story above grade.

133-38-A.

APPLICANT—Otto F. Semsch, for Ernest Flagg, owner.

SUBJECT—Application for consideration — reopening and amendment re appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—7202-7224 Ridge boulevard, west side, between 72nd street and 73rd street, 158-190 72nd street and 181-191 73rd street (Block No. 5906, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Otto F. Semsch and A. Andersen.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(133-38-A)

WHEREAS, Otto F. Semsch, for Ernest Flagg, owner, filed February 28, 1938, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 7202-7224 Ridge boulevard, west side, between 72nd and 73rd streets, 158-190 72nd street and 181-191 73rd street (Block No. 5906, Lot No. 1), Borough of Brooklyn, and

WHEREAS, the decision of the acting borough superintendent, dated April 20, 1938, re. Applic. No. 1402/38, reads;

"1 This application will not be considered until the questions involving various uses now subject of adjudication before the Courts and Board of Standards and Appeals are disposed of."

and

WHEREAS, the premises consist of a plot of ground irregular ft. by 460 ft. in area, upon which there is erected a series of 9 story Class A multiple dwellings and a swimming pool, all located in a residence use district; and

WHEREAS, the applicant contends that the swimming pool has been constructed in accordance with plans and applications filed with the Building Department and duly approved by it; that a certificate of occupancy was issued for the building and its accessories; that the swimming pool is an accessory and its use should be permitted as it would be a great hardship to be deprived of its use this coming spring; and

WHEREAS, this appeal was referred to a Committee of the Board, whose report recommended granting, provided the swimming pool was not operated as a business and was used by the tenants without charge; and

WHEREAS, *the request for an amendment to the report of the committee as to the barracading wall which was suggested although not stipulated nor referred to the committee; and*

WHEREAS, *the committee has decided that it report as to such wall may be corrected to read "A proper barricating wall or anchor post wire fence covered with canvas or similar material and not less than 8 in. high should be constructed continuously at the westerly end of the pool from building to building to shield this pool from the street and to minimize the objectionable features during the time the pool is being used."*

REPORT OF COMMITTEE

Re: Cal. No. 133-38-A.

Premises: 7202-7224 Ridge boulevard, 158-190 72nd street, 181-191 73rd street, Brooklyn.

June 27, 1938.

This is an appeal from the decision of the Borough Superintendent of Buildings who has refused to issue a certificate of occupancy for a swimming pool until the Board and the Courts have passed upon certain uses in the building. The board has considered these uses under Calendar No. 149-37-BZ, which is now subject to court review because of the Board's denial of the variance sought and under Calendar No. 530-37-BZ to be acted upon at the meeting of June 28, 1938. The description of the building and the surroundings are set forth in the reports of committee in these two applications.

The swimming pool is located in the Central inner court of the apartment house and was shown on the plans submitted to the department and approved. The only question that has been previously raised was at the time of the issuance of the certificate of occupancy No. 70436 on March 8, 1933. On that certificate there appears the notation "In Court is swimming Pool—not to be used." The committee understands that this notation was made because the pool was not completed at that time. A superseding certificate of occupancy and the one now in force No. 80093, issued November 17, 1936, after an alteration and extension of the building has no notation as to the swimming pool. It is understood that it was used after completion without being questioned as to its legality.

In the opinion of the committee it is not necessary that a separate certificate of occupancy should be issued for the swimming pool or that it should be included in the certificate of occupancy for the buildings. It is a part of the multiple dwelling as much as any other convenience or utility provided by the landlord for the comfort of the tenants consistent with the restrictive provisions of the zoning resolution. Many apartment houses have been provided with swimming pools for the use of tenants. Often these are constructed indoors instead of in an open court but in either case a swimming pool can be classed as a use customarily incident to a residential building of the type of Flagg Court which is a class A Multiple Dwelling. Its use, however, must not be as a business and must be for the use of the tenants only. The owner is not entitled to make a business out of its operation by charging fees for its use either directly or under guise of a club controlled by the owner.

This pool has a permit No. 415.415 issued by the Department of Health, July 7, 1936, and apparently still in force and upon the permit is the notation "Pool is for use of tenants only—no fee is charged."

This permit supersedes one issued on July 18, 1933.

The record indicates that the operation of this pool has become objectionable to adjoining owners, partly because of business activity that the owner has allowed to creep in and the operation of the pool itself. It appears that while an attempt has been made to control the users through membership in the Flagg Court Club, outsiders have not been denied use of the pool and that the pool has been used up to late hours causing unwarranted disturbance to adjoining property owners. A proper barricading wall *or anchor post wire fence covered with canvas or similar material not less than 8 ft. in height* should be constructed *continuously at the westerly end of pool from building to building* to shield this pool from the street and to minimize the objectionable features during the time

the pool is being used. Neighboring owners are entitled to this protection and to be assured that if this pool is to be permitted as a usual accessory for the use of the tenants that the department will require it be operated under proper conditions. If the pool is not operated in accordance with the requirements so as to be unobjectionable within reason to surrounding owners, the Department having jurisdiction could be justified in requiring its use discontinued.

The committee recommends that the application be granted in accordance with this report.

(Sgd.) HARRIS H. MURDOCK,
Chairman.

CHARLES M. BLUM,
BERNARD A. SAVAGE,
PATRICK WALSH,
Committee.

and

WHEREAS, this report recommended the granting of this appeal on certain conditions.

Resolved, that the decision of the Acting Superintendent of Buildings in acting on Application No. 1402-38, be and it hereby is *modified* and the appeal be and it hereby is *granted* in accordance with the stipulations set forth in the report of the Committee of the Board.

638-38-A.

APPLICANT—Charles Wissel, owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—185-22 Merrick road, south side, 135 ft. east of Main street (Block No. 3584, Lot No. 23), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Charles Wissel.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(638-38-A)

WHEREAS, Charles Wissel, owner, filed on July 18, 1938, an appeal from a decision of the borough superintendent, Department of Housing and Buildings, affecting premises 185-22 Merrick road, south side, 135 ft. east of Main street (Block No. 3584, Lot No. 23), Springfield, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Application No. 5596-38, dated July 18, 1938, reads:

"The erection of a frame building within the fire limits is contrary to section 4-1-2 BC."

and

WHEREAS, this appeal was granted by the board July 20, 1938 and applicant requested an amendment of the preamble as to size of building; and

WHEREAS, the proposed building will be 1½ stories (26 ft.) in height and 30 ft. by 36 ft. 4 in. in area, of frame construction, located on a lot 65 ft. by 7 in. by 144.65 ft., which is located in a business use district and occupied as a one family frame dwelling and office; and

WHEREAS, the applicant contends that the building will be brick veneered and that the roof will be surfaced with asbestos shingles.

Resolved, that the decision of the borough superintendent, in acting on N.B. Application No. 5596-38, be and it hereby is *modified*, and the appeal be and it hereby is *granted, on condition* that the building shall be surfaced with brick veneer for the entire height from grade to the plate line; that the building shall be used only for residence for one family and private office of owner occupant; and that the building shall comply in all respects with the requirements of the Building Code and the requirements of the Building Zone Resolution as they apply to a "D" area district.

VARIATIONS OF THE LABOR LAW

562-38-S.

APPLICANT—William Higginson and Son for R. H Comey Company, owner.

SUBJECT—Variation of Labor Law as cited in a decisio of the acting borough superintendent of buildings

PREMISES AFFECTED—62-68 18th street, south side 325 ft. west of Third avenue (Block No. 632, Lo No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: C. H. Higginson and C. F. Johr ston.

For Administration: Assistant Engineer Samu Cohen, Department of Buildings and Inspecto Maher, Fire Department.

ACTION OF BOARD—Granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....

Negative .....

Absent .....

THE RESOLUTION—

(562-38-S)

WHEREAS, William Higginson & Son, for R. H. Com Company, owner, filed on July 1, 1938, an application f a variation of the Labor Law, as cited in a decision of t acting borough superintendent, Department of Housing a Buildings, affecting premises 62-68 18th street, south si 325 ft. west of Third avenue (Block No. 632, Lot No. 4 Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent Alt. App. 8412-38, dated June 24, 1938, reads as follows:

"1. No factory shall be conducted in non-firepro building over 4 stories in height erected after Octo 1, 1913; same being in violation of Sec. 270 of t Labor Law.

Above application is hereby denied."

and

WHEREAS, the building is six stories and basement, 75 in height, 81 ft. 8 in. by 101 ft. 10 in. in area, of firepro and non-fireproof construction and occupied: Cellar—f tory, 25 persons; 1st, 2nd, 3rd floor—factory, 50 pers per floor; 4th, 5th and 6th floors—warehouse, 2 pers per floor; the building is equipped with a sprinkler syst one interior 3 ft. 8 in. fireproof stairs which leads fr roof to street and one fire escape located at the rear w windows on the course thereof of fireproof constructi and

WHEREAS, the applicant contends that the building erected in 1915; that the basement and first floor are fireproof construction; the upper floors are mill consti tion; that on March 21, 1918, the owner received an or from the fire department No. 78165-LD, requiring an a tional stairway to comply with the Labor Law, that stairway was erected in accordance with a resolution the Board of Review, December 17, 1918.

Resolved, that the decision of the borough superinte ent, in connection with Alt. App. No. 8412-38, be an hereby is *modified*, and the appeal be and it hereby is *gr ed on condition* that the manufacturing shall not be car on above the 3rd floor of building; that the sprinkler sy shall be maintained in accordance with the Sprinkler R of the Board of Standards and Appeals; and that the b ing in all other respects shall comply with the requ ments of the building code and the Labor Law for h after-constructed buildings, except that existing mean exit may be accepted.

671-38-S.

APPLICANT—Shroder and Koppel for Paper No Manufacturing Company, lessee.

SUBJECT—Variation of the Labor Law as cited in an order and a decision of the fire commissioner.
PREMISES AFFECTED—499-507 Carroll street, north side, 200 ft. east of Third avenue and 530-570 President street (Block No. 49, Lot Nos. 13 and 18), Borough of Brooklyn.
APPEARANCES—
For Applicant: Maurice Sobel.
For Administration: Inspector Maher, Fire Dept.
ACTION OF BOARD—Granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—

(671-38-S)

WHEREAS, Shroder & Koppel, for Paper Novelty Mfg. Co., lessee, filed July 26, 1938, a petition for a variation of the Labor Law, as cited in an order of the fire commissioner, affecting premises 499-507 Carroll street, north side, 200 ft. east of Third avenue and 530-537 President street (Block No. 49, Lot Nos. 13 and 18), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated May 27, 1938, re. Order No. 434-LF, reads:

"1. Arrange bars on all windows on all stories so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purpose of egress as per section 272 of the Labor Law."

and

WHEREAS, the building is three stories, 43 ft. in height, 00 ft. by 200 ft. in area, of non-fireproof construction rected approximately 40 years ago and occupied: Cellar—oiler room, machine room and stock, 15 persons; 1st floor —shipping and packaging, 75 persons; 2nd floor—factory nd office, 40 persons; 3rd floor—factory, 30 persons. The uilding is equipped with a sprinkler system and interior re alarm system and three 4 ft. interior wood stairs exending from 1st to top story, enclosed in wood studs, metal ath and cement plaster partitions with kalamein doors at penings. Two fire escapes located on the President street ront with fireproof windows along course thereof; and

WHEREAS, the applicant contends that there are many indows at each floor which are not barred and some of ie barred windows have wire mesh only; that a modication of the order is requested to the effect that the indows which are barred remain as is, and that only every xth window, so barred be changed to privide bars that an be opened easily from both sides or be removed enrely; and such bars that are changed to be opened, may locked at night or when the building is not occupied.

Resolved, that the order of the fire commissioner No. 34-LF be and it hereby is *modified*, and the appeal be id it hereby is *granted on condition* that all windows hich now have heavy bars shall be so arranged that every xth window can be opened both from the exterior and terior of the building; that such windows as are coved with light chicken-wire mesh shall be continued, expt on such windows which are to have operable iron rs where there shall be no stationary wire mesh; that e windows in course of elevator shaft shall remain rred; that the bars may be continued on cellar windows long as existing stairways to cellar are maintained.

1-38-S.
PPLICANT—James J. Millman, for Kanlee Corporation, owner.
JBJECT—Variation of Labor Law as cited in a decision of the acting borough superintendent of buildings.
REMISES AFFECTED—1646-1650 Coney Island avenue, west side, 100 ft. south of Avenue M (Block No. 6573, Lot No. 12), Borough of Brooklyn.
APPEARANCES—
For Applicant: James A. Millman.
For Administration: S. Cohen, Department of Housing and Buildings.
ACTION OF BOARD—Granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—

(661-38-S)

WHEREAS, James J. Millman, for Kanlee Corporation, owner, filed July 22nd, 1938, an appeal from a decision of the Borough Superintendent of Buildings affecting premises 1646-1650 Coney Island avenue, west side, 100 ft. south of Avenue M (Block No. 6573, Lot No. 12), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent on Application No. 8723-1938, dated June 24, 1938, reads:

"1. As this building was erected subsequent to October 1, 1913, it will be necessary to provide two fireproof stairs, conforming throughout with Sec. 270 of the Labor Law, in order to use 2nd floor for manufacturing purposes.

2. The floor beams of 2nd floor must be capable of supporting a f.l. of 120 lbs. per sq. ft. Examination discontinued."

and

WHEREAS, the building is 2 stories, 25 ft. 6 in. in height, 60 by 100 ft. in area at first floor and 60 by 40 ft. 6 in. in area on the 2nd story, of non-fireproof construction, erected in 1924 and occupied: Cellar—Ordinary, 1st floor, stores, 2nd floor, light manufacturing, 15 persons, Certificate of Occupancy No. 55258, was issued March 8, 1929, for Cellar—ordinary, first floor, stores, market; 2nd floor—synagogue, 110 people; floor loads, 1st floor—120 pounds; 2nd floor—100 pounds; there are 2 interior stairs of wood construction 44 in. in width enclosed in 6 in. terra cotta block partition with kalamein doors at openings; the stairway at the north end of the building is extended to the street by means of a passageway enclosed in 4 in. terra cotta block parition with a fire retarded ceiling; and

WHEREAS, the applicant contends as to objection No. 1, that the building was originally erected in 1924, and the permitted use on the 2nd floor was offices, in 1927 the building was altered to permit increase of floor load on the 2nd floor and to provide a 2nd means of egress by a fire proof passageway on the first floor, direct to the street and thereupon Certificate of Occupancy No. 55258 was issued on March 8, 1929; as to objection No. 2—that the second floor is 2250 square feet in area, which it is proposed to occupy for the manufacture of Venetian blinds, employing 12 working people; that this floor is provided with three means of egress; that the cellar ceiling is covered with ½ in. plaster boards and plaster; and the ceiling of the market on the first floor is covered with stamped metal.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* of the Labor Law as cited in decision of the Borough Superintendent, acting on App. No. 8723-1938, and that the application be and it hereby is *granted* so as to permit the 2nd floor to be used for light manufacturing *on condition* that no manufacturing shall be carried on that will require floor loading per superficial foot of more than 100 lbs.; that the stairways shown shall be maintained as shown, enclosed in terra cotta block, with fireproof, self-closing doors; that the soffits under the stairs shall be fire-retarded in accordance with the Rules of the Board of Standards and Appeals; that a double-rung gooseneck ladder and easily openable scuttle shall be constructed towards the rear for access to the roof; that a ladder shall be provided on the roof to permit access to the surrounding ground for use in emergency in case of fire; that the second floor shall not be sub-divided

so as to interfere with direct access to each exit from all parts of the 2nd floor; that the fire passage toward the south shall remain open and unimpeded at all times for exit to Coney Island avenue; and that in all other respects, other than as varied herein, the Labor Law and all other laws, rules and regulations applicable to this building and occupancy shall be complied with.

APPLIANCES FOR APPROVAL

759-38-SA.

APPLICANT—Kinnear Manufacturing Co., Inc., owner.

SUBJECT—Kinnear Steel Rolling Door for Horizontal Escalator Openings—approval of.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

ZONING VARIATION

174-36-BZ.

APPLICANT—Szold and Brandwen, for New York Clothing Cutters Center, Inc., owners.

SUBJECT—Application for consideration—reopening, extension of permit—re application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles, for a temperory period of two (2) years (time having expired).

PREMISES AFFECTED—44-46 East 12th street, south side, 132 ft. west of Broadway (Block No. 563, Lot No. 28), Borough of Manhattan.

APPEARANCES—
For Applicant: Milton Goldstein.

ACTION OF BOARD—Application reopened and set for hearing October 4, 2 P. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

8-34-BZ.

APPLICANT—Walter R. Hart, for Fiske & Queens Realty Corp., owner.

SUBJECT—Application (re. decision of the Commissioner of Buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station for a temporary period. (Previously granted on condition) (Reopened July 20, 1938, for consideration as to extension of permit).

PREMISES AFFECTED—Northeast corner of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Walter R. Hart.

ACTION OF BOARD—Resolution amended and permit extended.

THE VOTE TO AMEND RESOLUTION AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—
(8-34-BZ)

WHEREAS, this application affecting premises N. E. cor. of Jamaica avenue and 187th place (Block No. 975, part of Lot No. 1), Jamaica, Borough of Queens, was granted by the board, April 24, 1934, on certain conditions, and applicant requested amendments of the resolution *which were granted December* 18, 1934, *and* February 19, 1935, and now requests an extension of the time limit imposed.

Resolved, that the resolution adopted by the board on April 24, 1934, *as amended December* 18, 1934, and February 19, 1935, be and it hereby is amended; so that as amended it will read as follows:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* for a period of *ten* years from the date of this action under section 21, permitting the site under appeal to be used for a gasoline service station *on condition* that the plot shall be made substantially level to the grade of Jamaica avenue; that there shall be erected on the interior lot lines a brick wall, faced with face brick and not less than 8 ft. in height, except that this wall may start at a height of 4 ft. at the building line of Jamaica avenue and 187th place and be graduated at the rate of one foot in four to the 8 ft. height; that the accessory buildings shall consist of a office, laundry section and greasing section, located on the rear lot line, as indicated on revised plans filed marked "December 17, 1934"; that these buildings shall not exceed one-story in height and shall be constructed of brick, faced with face brick or cement stucco and constructed of incombustible materials, except that the roof beams, roof boarding, windows and doors may be of wood *on condition* that the ceiling throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals, and the roof surfaced with non-inflammable shingles or roof surfacing; that there shall be no windows on the rear lot line opening upon adjacent property; that the balance of the plot where not occupied by accessory buildings shall be cement or asphalt paved; that gasoline pumps shall not be nearer than 15 ft. to either street line, nor nearer than 10 ft. to any part of an accessory building; that there shall be not more than four 550 gallon tanks installed on the premises; that there shall be no open excavation under any of the accessory buildings except the pit for the greasing racks; that the front of the greasing rack section shall remain open; that there shall be constructed on the street building lines a reinforced concrete curb not less than 12 in. in width and not less than 5 in. in height, with domed top, with not over two openings therein to Jamaica avenue and not over two openings to 187th place; these openings not to exceed 25 ft. in width with curb cuts opposite not over 30 ft. in width; that no part of any such opening shall be nearer than 10 ft. to the easterly interior lot line on Jamaica avenue, nor 20 ft. from the interior lot line on 187th place, nor nearer than 15 ft. from the intersection formed by 187th place and Jamaica avenue; that at this corner intersection there shall be a grass plot maintained, protected on all sides by curbs as indicated on plans; that there shall be no portable gasoline pumps used on or from the premises; that no automobile repairing shall be carried on, nor the storage or parking of cars other than those being serviced; that advertising signs shall be confined to the illuminated globes of the gasoline pumps and permanent flat sign on the facade of the accessory building and one illuminated sign on a post within the building line and near the intersection of Jamaica avenue and 187th place; that lights for general illumination shall be on standards not over 24 ft. in height with metal reflectors arranged to reflect downwardly; that complete working drawings shall be filed with this board for approval by the chairman in behalf of the board, be-

submission to the Department of Buildings; that all permits shall be obtained within six months and all work completed within one year from *December* 18, 1934."

103-35-BZ.

APPLICANT—Edgar Palmieri, for Louis Piccola and Angelo Dell'Abate, owners.

SUBJECT—Application (re. decision of the Commissioner of Buildings) under section 21 of the building zone resolution, to permit in a business use distdict, the erection and maintenance of a gasoline service station for a temporary period. (Previously granted on condition) (Reopened July 20, 1938, for consideration as to extension of permit).

PREMISES AFFECTED—5001-5011 Flatlands avenue and 1869-1875 Utica avenue, northeast corner (Block No. 7798. Lot No. 33), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edgar Palmieri.

ACTION OF BOARD—Resolution amended and permit extended.

THE VOTE TO AMEND RESOLUTION AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(103-35-BZ)

WHEREAS, Michael Levine, for Angelo Dell'Abate and Louis Piccola, owners, filed April 17, 1935, an application under the building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: 5001-5011 Flatlands avenue and 1869-1875 Utica avenue, northeast corner (Block No. 7798, Lot No. 33), Borough of Brooklyn; and

WHEREAS, this application was granted by the board June 25, 1935 on certain conditions and applicant requests an extension of the time limit imposed.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on June 25, 1935, so that as amended this resolution shall read:

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 thereof for a period of *ten* years from the date of this action, *on condition* that there shall be constructed on the interior lot line to the north a brick wall not less than 8 feet in height; that lot line walls may start at the height of four feet (4 ft.) at Utica avenue and be graduated at the rate of one foot in four to the 8-feet height; that the accessory building shall be erected toward the northerly side of the property, as indicated on plans filed with this appeal and shall not exceed one story in height; that the northerly walls of these accessory buildings may be incorporated as part of the lot line wall; that there shall be no windows in this wall opening upon abutting property; that there shall be no open grease lifts; that if greasing is to be done on the premises it shall be within an enclosed building having an open front; that the accessory buildings shall be made of fireproof materials throughout, except that the roof boarding, window frames and sash and door frames and doors may be made of wood, providing the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals and that the roof weather surfacing is of non-inflammable material; that the exterior of the accessory buildings and walls shall be of face brick with stone or terra cotta trimmings; that the entire plot shall be graded substantially to the grade of Flatlands and Utica avenues and shall be cement paved or paved with tarvia or equivalent material; that no gasoline pumps shall be erected nearer than 12 feet from the building lines of Flatlands and Utica avennes; that there shall be erected along the building line of Utica avenue and Flatlands avenue a reinforced concrete curbing not less than 5 inches in height with rounded top and 12 inches in width with not over two openings to Utica avenue and two openings to Flatlands avenue, these openings not to exceed a combined width of 35 feet on each street and no part of any opening shall be nearer than 5 feet to the northerly interior lot line nor 5 feet from the corner formed by the intersection of Utica and Flatlands avenues; that advertising shall be limited to the illuminated globes of the gasoline pumps and to a flat sign erected against the wall of the accessory building, excluding all roof signs and all signs of a temporary nature, but permitting one post upright to be erected within the building line near the intersection of the two avenues, carrying an illuminated sign, which may overhang the building line not over 8 feet and advertising only the brand of gasoline for sale; that no automobile repairing shall be permitted on the premises and no portable gasoline tanks used on or from the property; that there shall be no open pits under the acessory buildings except for the greasing racks; that there shall be no parking of cars other than those being serviced; that there shall be no open flame permitted on the premises; that prior to filing with the commissioner of buildings, plans shall be filed with the chairman and approved by him as complying with these conditions; that all permits required shall be obtained within six months and all work involved completed within one year from the date of this action.

302-29-BZ.

APPLICANT—Conroy and Hardy, for John Sklar Holding Company, Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time to complete work—re application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting partly in a residence use district and partly in a business use district the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—146-156 East 98th street, northwest corner of Winthrop street (Block No. 4614, Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(302-29-BZ)

WHEREAS, this application affecting premises 146-156 East 98th street, northwest corner of Winthrop street (Block No. 4614, Lot No. 38), Borough of Brooklyn, was granted by the board, July 26, 1929, on certain condition, time extended from time to time and applicant requests a further extension.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on July 26, 1929, only so far as it has reference to obtaining permits and the completion of work, so that as amended this portion of the resolution shall read:

". . . that all permits shall be obtained and all work shall be completed within one year from the date of this amended resolution *on condition* that other than as amended herein the resolution adopted by the board on July 26, 1929 shall be complied with in all other respects."

262-32-BZ.

APPLICANT—Edward J. Walsh, for Edward J. Walsh and Mary Walsh, owners.

SUBJECT—Application for consideration—reopening, extension of permit—re application (decision of the superintendent of buildings) under section 7f of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—Southwest corner of Wyona avenue and Willowbrook road (Block No. 2099, Lot Nos. 29, 30 and 31), Port Richmond, Borough of Richmond.

APPEARANCES—
For Applicant: Mary Walsh.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(262-32-BZ)

WHEREAS, the application affecting premises: Southwest corner of Wyona avenue and Willowbrook road (Block No. 2099, Lot Nos. 29, 30, 31, Port Richmond, Borough of Richmond, was granted by the board September 23, 1932, for a temporary period of two years, the period extended October 23, 1934; and October 6, 1936, and owner requested a further extension; and

Resolved, that the resolution adopted by the board on September 23, 1932, be and it hereby is *amended,* so that as amended the resolution will read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted,* under section 7, subdivision F, for a temporary period of two years from September 13, 1938, *on condition* that all pumps shall be set back from the building lines on all street fronts not less than 10 ft.; any accessory use conducted on the premises shall be housed in one-story structures; any advertising signs advertising the non-conforming use shall be confined to the illuminated globes of the pumps; there shall be but two entrances to the gasoline station on Willowbrook road and one on Wyona avenue, the curb cuts in front thereof shall be not more than 14 ft. wide each; all permits required shall be obtained within three months and all work completed within six months from the date of this action."

500-28-BZ.

APPLICANT—Charles Zenker, owner.

SUBJECT—Application for consideration—reopening, extension of time to complete work—re application (decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution permitting partly in a business use district and partly in an unrestricted district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block No. 3264, Lot No. 30), Borough of The Bronx.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(500-28-BZ)

WHEREAS, this application affecting premises 2801-2819 Bailey avenue, northwest corner of West Kingsbridge road (Block 3264, Lot No. 30), Borough of The Bronx, was granted by the board, January 22, 1935, on certain conditions, time extended to complete work September 22, 1937, and applicant requests a further extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of January 22, 1935, as amended September 22, 1937, in view of statement by applicant that plans have been filed with and approved by the commissioner of buildings, to extend the time within which to complete the work to within one year from the date of this amended resolution, *on condition* that other than as amended herein, all requirements of the resolution adopted by the board on January 22, 1935, shall be complied with

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AREA FIXED

666-38-BZ.

APPLICANT—Benjamin Braunstein.

SUBJECT—Area to be fixed.

PREMISES AFFECTED—101-125 Sunnyside avenue north side, 210 ft. 1 in. east of Miller avenue (Block 3885, Lot No.s 12, 41, and part of 100), Borough of Brooklyn.

APPEARANCES—
For Applicant: John P. McGrath.

ACTION OF BOARD—Area set.

THE VOTE AREA SET—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....
Negative .....
Absent .....

THE RESOLUTION—

(666-38-BZ)

The board was requested to fix an area deemed affected and within which the applicant is to obtain duly acknowledged consents from the property owners, to permit in residence use district the erection and maintenance of garage for more than five motor vehicles in conjunction with an apartment house and for use of the tenants only; premises, 101-125 Sunnyside avenue north side, 210 ft. 1 east of Miller avenue (Block No. 3885, Lot No. 12, 41 a part of 100), Borough of Brooklyn.

The following area was approved:

Both sides of Sunnyside avenue from a point 400 east to a point 400 ft. west of premises in question; bo sides of Hendrix street from Sunnyside avenue to a po 100 ft. southerly therefrom and also the south side Highland boulevard within 100 ft. of the side lot li (prolonged) of the plot in question and including the pr erty in the rear of the proposed garage.

736-38-BZ.

APPLICANT—Francis T. Christy.

SUBJECT—Area to be fixed.

PREMISES AFFECTED—25-53 West 48th street, n side 237 ft. 7½ in. east of Sixth avenue and 2 West 49th street (Block No. 1264, Lot No. Borough of Manhattan.

APPEARANCES—
For Applicant: Henry Hofmeister.

ACTION OF BOARD—Area set.

THE VOTE AREA SET—
Affirmative: Chairman Murdock, Commission ers Savage and Blum and Assistant Chie Walsh .....
Negative .....
Absent .....

MINUTES

THE RESOLUTION—

(736-38-BZ)

The board was requested to fix an area deemed affected and within which the applicant is to obtain duly acknowledged consent from the property owner to permit in a retail use district the erection and maintenance of a building to be occupied as a garage for more than five motor vehicles and offices; premises: 25-53 West 48th street, north side 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan.

The following area was approved: The north side of West 49th street and the south side of West 48th street, from a point 63 ft. west of the westerly building line of Sixth avenue to the westerly building line of Fifth avenue; the south side of West 49th street and the north side of West 48th street from a point 63 ft. west of the westerly building line of Sixth avenue to the westerly lot line of the premises in question; the southerly side of West 49th street and the northerly side of West 48th street from the westerly building line of Fifth avenue to the easterly lot line of the premises in question.

Adjourned, 5:30 P. M.

EDWARD V. BARTON, Chief Clerk.

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* CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, June 15, 1937, as they appeared in Bulletin No. 25, Vol. XXII, and as corrected in Bulletin No. 30, Vol. XXII, are hereby corrected to read as follows:

THE RESOLUTION—

(169-21-S)

WHEREAS, Samuel Rosenb'um, consulting engineer, for D. S. Walton & Co., owner, filed, February 7, 1921, a petition, with the Board of Standards and Appeals, for variation of the requirements of the labor law as cited in orders of the fire commissioner, affecting premises 132-2 Franklin street and 1-9 Varick street, northwest corner (Block No. 189, Lot No. 1), Borough of Manhattan; and

WHEREAS, the orders of the fire commissioner read:

"No. 17722-LD. 1. Enclose the interior stairways at northwest corner of 132-4 and west side of 136-42 buildings, serving as a required means of exit, and the landings, platforms and passageways connecting therewith on all sides, with partitions of fire resisting material extending continuously from the 1st story to 3 ft. above the roof, constructed as per sections 79-B-2 and 79-B-3 of the labor law, or carry out a proper alternative method of complying with the requirements of section 79-B-1 of the labor law.

"2. Extend the interior stairways at northwest corner of 132-4, west side of 136-42 buildings to the roof, as per sections 79-B-2 and 79-C-1 of the labor law.

"3. Extend the interior stairway at the west side of 136-42 building from the 2nd story to the 1st story, said stairways and the landings, platforms and passageways connecting therewith to be enclosed on all sides with partitions of fire resisting material extending continuously from the 2nd story to 3 ft. above the roof, and provide a fire resisting passageway leading from the termination of the stairway to the street, as per sections 79-B-2 and 79-B-3 of the labor law, or carry out a proper alternative method of complying with the requirements of section 79-B-1 of the labor law";

and

WHEREAS, the premises consists of two buildings, each non-fireproof, six stories in height, with a total frontage of 121 ft. 9 in. and a depth of 100 ft. and 80 ft. respectively, occupied in the 1st story, stores and shipping; upper floors, storage and printing of paper bags and stock, number of employees, No. 132-34; 2nd floor, 25 persons; 3rd floor, 25; 4th floor, 0; 5th floor, 0; 6th floor, 0; No. 136-42, 2nd floor, one person; 3rd floor, 8 persons; 4th floor, 6 persons; 5th floor, 6 persons, 6th floor, 14 persons; the buildings being equipped with a sprinkler system and a fire alarm signal system; the means of egress consisting of an interior stairway in the westerly building extending from the 2nd story to the 6th story, enclosed in wood board partitions; an interior stairway in the easterly building extension from the 1st story to the 2nd story at the front and from the 2nd story to the 6th story at rear; enclosed in the 4th story only; two openings in the division wall between the easterly and westerly buildings in each story except the 1st story with self-closing fireproof doors at the openings; a fire escape on the rear accessible to both buildings and a party wall fire escape on the front of the building connecting both buildings; the roofs of the buildings adjoining being at same height as roof of building in question; and

WHEREAS, petitioner contends that owing to the sprinkler system and fire alarm signal system and the horizontal exits, the means of egress should be deemed adequate; and

WHEREAS, this petition was granted by the board at its meeting April 5, 1921, on certain conditions and owner's representative requested a modification of these conditions, which request was granted by vote of the board, and he now requests a further modification as to stair enclosures; and under date of May 21, 1937, requested an amendment as to horizontal exits, the commissioner of buildings having issued order No. 31120-LD, reading:

"1. Extend the interior stairway to roof, Section 271 labor law.

"2. Enclose the interior stairway from cellar to roof with fire resisting partitions, doors fireproof self-closing opening outwardly Section 271 labor law.

"3. Extend stairway to street through an unobstructed passageway enclosed with fire resisting partitions, street doors from stairway to open out, Section 271 labor law.

"4. Arrange party iron balconies front of building to conform with section 274 labor law."

Resolved, that the Board of Standards and Appeals does hereby *make* a variation from the requirements of the labor law and that the petition be and it hereby is *granted on condition* that an enclosure making a continuous hallway 3 ft. wide in the clear, be provided around the stairways extending from the second story to the sixth story in building No. 136-142 and from the first story to the sixth story in building No. 132-134, these enclosures to be fire retarded on the loft side, with approved fire retarding material in accordance with the rules for fire retarding material adopted by the Board of Standards and Appeals, with fire doors at all openings, that a scuttle properly counterbalanced and an iron ladder leading thereto be provided to the roof of each building, that an enclosed passageway similarly fire retarded be provided from the foot of the stairs in the second story of building No. 136-142 to the street wall connecting with the exterior balcony; *that Order No. 31120-LD, issued by the commissioner of buildings under date of May 18, 1937, be modified on condition that the requirements of the amended resolution of January 17, 1922, shall be complied with and that the exterior fire-escape party-wall balcony on Franklin street shall be reconstructed so as to comply with the requirements of the labor law for an exterior fire-escape with counter-balanced stairway to street and providing thereto legal exit from the areas on either side of the brick fire wall, and that the openings in the fire wall on all floors shall be protected with fireproof, self-closing doors on each side of the wall.*

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* Correction—Words "A fire escape balcony at southwest corner of the building in the 2nd story with counterbalanced stairs to street, serving as egress for the interior stairs" deleted in lines 55-56-57-58.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths (⅞) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half (2½) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth (¼) of one (1) per cent of steel mesh;

(b) Two and one-half (2½) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half (½) inch plaster boards, or three-eighths (⅜) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter (¼) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a heigh of five (5) feet on the garage side with No. 4 U. S. gaug metal. Any one of the following forms of partitions shal be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not mor than sixteen (16) inches on centers, covered both side with metal lath weighing not less than three pounds pe square yard, attached to furring strips and plastere with Portland cement mortar at least three-quarter (¾) of an inch thick;

(b) Two by four inch wood studs placed not mor than sixteen (16) inches on centers, covered both side with seven-eighths (⅞) inch wood sheathing, one-hal (½) inch plaster boards with pointed joints and No. 2 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not mo than sixteen (16) inches on centers, covered both sid with seven-eighths (⅞) inch wood sheathing, tw thicknesses of one-quarter (¼) inch asbestos boar laid with tight staggered joints and jacketed with N 16 U. S. gauge metal on the garage side to a height five (5) feet;

(d) Two by four inch wood studs spaced not mo than sixteen (16) inches on centers, filled in solid between the studs with four inches of approved fir proof materials and covered on both sides with No. U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitio covered on the garage side with No. 26 U. S. gau sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

UNIVERSITY OF ILLINOIS
OCT 0 1938
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Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Court Decision.

Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting, September 20, 1938, at 10 A. M., Affecting Calendar Numbers 583-38-BZ, 630-38-BZ, 609-37-BZ, 605-37-BZ, 469-38-BZ, 389-29-BZ, 574-38-BZ and 284-36-BZ.

Minutes of Regular Meeting, September 20, 1938, at 2 P. M., Affecting Calendar Numbers 99-33-BZ, 485-28-BZ, 528-28-BZ, 8-33-BZ, 741-38-A, 758-38-A, 761-38-A, 745-38-A, 72-38-A, 682-38-A, 535-38-A, 639-38-A, 686-38-A, 687-38-A, 688-38-A, 689-38-A, 690-38-A, 691-38-A, 700-38-A, 724-38-A, 726-38-A, 754-38-A, 783-38-A, 470-38-A, 563-38-A, 385-18-S, 1105-22-SA, 295-29-SA, 591-29-SA, 357-38-SA, 640-38-SA, 679-38-SA, 683-38-SA, 777-38-SM and 778-38-SM.

Corrections Affecting Calendar Numbers 337-35-A, 439-38-A, 697-38-S, 665-38-A, 773-38-A and 133-38-A.

Rules for Refrigerating Systems.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to September 20, 1938

Cal. No.	*Department*	*Premises Affected*
792-38-SM		Kinnear Steel Rolling Door manufactured by Kinnear Mfg. Co., Inc. Material.
793-38-A	F.D. & H.B.M.	379-383 Madison avenue and 41-47 East 46th street, northeast corner and 88 Vanderbilt avenue (10th floor); (Block 1282, Lot 21), Borough of Manhattan. 13839-L.C. & F.P. App. 514-38.
794-38-BZ	H.B.Q.	79-37 to 79-39 67th road (Steuben street), north side, 100 ft. west of 80th street (Block 3780, Lots 30, 49 and 50), Middle Village, Borough of Queens. Decision re Viol. 521-38.
795-38-SM		Lehigh Early Strength Portland Cement manufactured by Lehigh Portland Cement Co. Material.
796-38-BZ	H.B.Q.	221-02 to 221-40 Horace Harding (Nassau) boulevard and 61-01 to 61-75 Springfield boulevard, southeast corner (Blocks 7644, 7645, 7656 and 7657, Lot 1 in each Block), Bayside, Borough of Queens. Decision re No. 2950-38.
797-38-S	F.D.	959-961 East 85th street, east side, 200 ft. north of Avenue J (Block 8022, Lot 1), Borough of Brooklyn. 600-L.F. & Decision.
798-38-SM		Murex Vertex and Murex Genex Welding Electrodes manufactured by Metal and Thermit Corporation. Material.
799-38-A	H.B.B.	863 Lenox road, north side, 51 ft. 6 in. east of East 53rd street (Block 4640, Lot 28), Borough of Brooklyn. Alt. 7769-38.
800-38-SA		Delco Heat Oil Burner, Models DX, D12, D34, D44, DR, DR-0, DR-1, DRF, DF2 and DLM. Appliance.
801-38-BZ	H.B.M.	521-529 East 79th street, north side, 198 ft. west of East End avenue (Block 1576, Lot 14), Borough of Manhattan. Alt. 1593-38.
802-38-BZ	H.B.M.	225-227 West 33rd street, north side, 259.3 ft. west of 7th avenue (Block 783, Lots 22 to 26 inclusive), Borough of Manhattan. Decision.
803-38-BZ	H.B.Bx.	3901-3911 White Plains avenue, northwest corner of East 222nd street (Block 4824, Lots 4 and 7), Borough of The Bronx. B.N. 959-38.
804-38-A	F.D.	499-507 Carroll street, north side, 200 ft. east of Third avenue and 530-570 President street (Block 49, Lots 13 and 18), Borough of Brooklyn. 1063-L.F. & Decision.
805-38-BZ	H.B.Q.	Southwest corner of Horace Harding (Nassau) boulevard and Hollis Court boulevard (Block 5720, Lot 25, Block 5721, Lots 1 and 40, Block 5724, Lot 30, Block 5725, Lot 1 and Block 5726, Lots 3 and 15), Flushing, Borough of Queens. N.B. 4551-38.

Restored to Calendar

1105-22-SA		Dietz Oil Burner, Type D. Appliance
295-29-SA		Dietz Oil Burner, Type B. Appliance
99-33-BZ	H.B.B.	3068-3074 Ocean parkway, west side, 283 ft. 7 in. north of Sea Breeze avenue (Block 7282, part of Lots 57 and 60) Borough of Brooklyn. App. 644-3

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department and **F.D.**—Fire Department.

COURT DECISION

Matter of Gilroy Bldg. Corpn. (Board of Standards and Appeals). On December 7, 1937, board denied gasoline station and repair shop, in business district, under section 21, at 118 Liberty avenue, southeast corner Dunkirk street, Borough of Queens, Cal. No. 277-37-BZ. Mr. Justice Cuff sustained board (N.Y.L.J., September 1, 1938) stating in part: "That the site is adjacent to unrestricted land is a good reason for refusing the variance because that unrestricted area should be utilized first. * * * Likewise lapse of time in this undeveloped area may prove that there are many uses that will afford him a profitable use of his property. The board with a broad view looking toward the orderly development of this neighborhood, exercising its judgment, had held that there must be some limit to encroachments upon the territory that it has allotted to residential and business uses."

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules	Aug. 16, 1938—Vol. 23, No.
Certificate of Occupancy, approved form	Aug. 23, 1938—Vol. 23, No.
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No.
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No.
Elevator Rules	Mar. 3, 1936—Vol. 21, No.
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No.
Factory Exit Rules	Sept. 13, 1938—Vol. 23, No.
Fire Alarm Rules (Interior)	July 12, 1938—Vol. 23, No.
Fire Drill Rules	Aug. 9, 1938—Vol. 23, No.
Fire Retarding Rules for Garages, etc.	Sept. 20, 1938—Vol. 23, No.

CALENDAR

ireproof Wood, Testing of	Apr.	13, 1937—Vol. 22, No. 15
rame Garages, Ruling for	Jan.	21, 1919—Vol. 4, No. 3
usion Welding and Gas Cutting Rules	Aug.	23, 1938—Vol. 23, No. 34
as Shut-Off Rules	Apr.	7, 1925—Vol. 10, No. 14
atchway Protection	June	5, 1928—Vol. 13, No. 23
il Burner Rules	Aug.	30, 1938—Vol. 23, No. 35
aint, Varnish and Lacquer Spraying Rules	Sept.	13, 1938—Vol. 23, No. 37
latform Trucks, Specifications for	Nov.	24, 1936—Vol. 21, No. 47
lumbing Rules	Aug.	3, 1937—Vol. 22, No. 31
rocedure, Rules of	Sept.	7, 1937—Vol. 22, No. 36
efrigerating Systems, Extract C.O.	Sept.	27, 1938—Vol. 23, No. 39
moking in Factories, Rules for	Sept.	13, 1938—Vol. 23, No. 37
prinkler Rules	June	29, 1937—Vol. 22, No. 26
andpipe Fireline Rules	June	8, 1937—Vol. 22, No. 23
ructural Alterations, Reporting	June	7, 1932—Vol. 17, No. 23
nk Trucks, Fuel Oil, etc.	Nov.	24, 1936—Vol. 21, No. 47
nk Trucks, Gasoline, etc.	Nov.	24, 1936—Vol. 21, No. 47
ire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

nti-Siphon Valves	Mar.	5, 1935—Vol. 20, No. 10
reline Hose Valves	Aug.	23, 1938—Vol. 23, No. 34
el Oil Burners for Domestic and Commercial Use	Aug.	30, 1938—Vol. 23, No. 35
el Oil Fill Pipe Terminals	Aug.	23, 1938—Vol. 23, No. 34
el Oil Burners for Industrial Use	Aug.	30, 1938—Vol. 23, No. 35
el Oil Pumps	Aug.	30, 1938—Vol. 23, No. 35
int, Varnish and Lacquer Spraying Equipment	Sept.	13, 1938—Vol. 23, No. 37
nge Oil Burners and Space Heaters	Aug.	9, 1938—Vol. 23, No. 32

SEPTEMBER 27, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standds and Appeals of a public hearing under the provisions the building zone resolution, *Tuesday morning, September* 27, 1938, at 10 o'clock, in Room 1013, Municipal uilding on the following matters:

L. NO. 251-35-BZ—Application of Paul Friedman, applicant, on behalf of State Engineering Corporation and Cora Lay Waldron, owners, reopened May 17, 1938, under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a business building (stores); (previously denied under sections 7c and 21 of the building zone resolution); premises 2115-2119 Caton avenue, north side, 91 ft. west of Flatbush avenue (Block No. 5063, Lot No. 69), Borough of Brooklyn.

. NO. 608-37-BZ—Application, December 21, 1937, under sections 7h and 21 of the building zone resolution of Patrick J. Keating, lessee, on behalf of First Methodist Episcopal Church, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 142-17 Roosevelt avenue, north side, 150.83 ft. east of Union street (Block No. 5020, Lot No. 49), Flushing, Borough of Queens.

NO. 549-38-BZ—Application, June 24, 1938, under section 21 of the building zone resolution, of Joseph M. Lonergan, on behalf of Bruno Bernabo, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 4729 Third avenue and 4730 Park avenue, southwest corner of East 189th street (Block No. 3041, Lot No. 47), Borough of The Bronx.

CAL. NO. 574-28-BZ—Application of George A. Boehm, applicant on behalf of Estate of Max Eisman, owner, reopened July 6, 1938, under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop (previously withdrawn); premises 1339 Jerome avenue (Macombs road), west side, 472.96 ft. south of West 170th street and 1338 Inwood avenue (Block No. 2856, Lot Nos. 9-10-49 and 50), Borough of The Bronx.

CAL. NO. 558-37-BZ—Application, November 26, 1937, under section 7h of the building zone resolution, of Michael Garozzo, applicant, on behalf of Druiss Co., Inc., owner, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 62-66 Henry street and 23-29 Market street, southwest corner (Block No. 277, Lot Nos. 24, 25, 26 and 27), Borough of Manhattan.

CAL. NO. 74-37-BZ—Application of A. J. Simberg, applicant on behalf of Benjamin Lazaroff, owner, reopened August 16, 1938, for consideration as to extension of time to complete work—time having expired by limitation re Application previously granted on condition under sections 7a, 7c and 21 of the building zone resolution, permitting in a residence use district, the extension of an existing business use, and also the omission of the required rear yards; premises 255 West 18th street, north side, 100 ft. east of Eighth avenue (Block No. 768, Lot No. 7), Borough of Manhattan.

CAL. NO. 630-38-BZ—Application, July 15, 1938, under sections 7b, 7c and 7g of the building zone resolution, of Bethlehem Engineering Corporation, applicant, on behalf of Mutual Life Insurance Company, owner, to permit partly in a restricted retail use district and partly in a retail use district, the erection and maintenance of a building to be used as a motion picture theatre, a bus station and garage for more than five (5) motor vehicles; premises 118-134 Park avenue, west side from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

SEPTEMBER 27, 1938, 2 P. M.

Appeals from Administrative Orders

677-38-A—52 Sands street, northeast corner Adams street

CALENDAR

(Block No. 66, Lot No. 7), Borough of Brooklyn.

786-38-A—1062 (1058 displayed) 55th street, south side, 184 ft. 8 in. west of 11th avenue (Block No. 5681, Lot No. 26), Borough of Brooklyn.

760-38-A—1245-1269 York avenue, west side, from East 67th street to East 68th street (Block No. 1642, Lot Nos. 1-44), Borough of Manhattan.

793-38-A—379-383 Madison avenue and 41-47 East 46th street, northeast corner and 88 Vanderbilt avenue (10th floor); (Block No. 1282, Lot No. 21), Borough of Manhattan.

741-38-A—175-10 Hillside avenue, southeast corner of 175th street (Block No. 9834, Lot No. 10), Jamaica, Borough of Queens.

767-38-A—10-24 Dwight street, north side, from Delevan street to Verona street, 5-21 Delevan street and 1-19 Verona street (Block No. 523, Lot No. 18), Borough of Brooklyn.

775-38-A—41-28 to 41-34 29th street, west side, 63.20 ft. north of Bridge Plaza North (Block No. 417, Lot Nos. 1 and 2), Long Island City, Borough of Queens.

791-38-A—8-10 East 57th street, south side, 195 ft. west of Madison avenue and 11 East 56th street (Block No. 1292, Lot Nos. 9, 64 and 65), Borough of Manhattan.

Variation of Labor Law

790-38-S—8-10 East 57th street, south side, 195 ft. west of Madison avenue and 11 East 56th street (Block No. 1292, Lot Nos. 9, 64 and 65), Borough of Manhattan.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, September* 27, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 5-28-BZ—Application of Paul Friedman, applicant, on behalf of Parkway Center Building Corporation, owner, reopened June 14, 1938, under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a gasoline service station (previously denied); premises 384-388 Hawthorne street and 664-674 New York avenue, southwest corner (Block No. 4819, Lot No. 39), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 4, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October* 4, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 332-38-BZ—Application, May 3, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of John F. Trommer, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1605-161[illegible] Bushwick avenue, northeast corner o[illegible] Stewart street (Block No. 3475, Lo[illegible] No. 50), Borough of Brooklyn.

CAL. NO. 417-37-BZ—Application, August 24, 1937, unde[illegible] section 7h of the building zone resolu[illegible] tion, of Vivian J. Burkett, lessee, o[illegible] behalf of Annie Callan, owner, to per[illegible] mit partly in a business use distric[illegible] and partly in a residence use distric[illegible] for a temporary period of not mor[illegible] than two (2) years, the parking an[illegible] storage of more than five (5) moto[illegible] vehicles; premises northeast corner [illegible] Crocheron avenue and 169th stre[illegible] (Block No. 5297, Lot No. 6), Flus[illegible] ing, Borough of Queens.

CAL. NO. 570-38-BZ—Application, July 5, 1938, under se[illegible] tion 7a of the building zone resolutio[illegible] of Robert Gottlieb, applicant, on b[illegible] half of Stanley K. Malouf, owner, [illegible] permit in a residence use district t[illegible] erection and maintenance of a busine[illegible] building (stores and offices above[illegible] premises 791-793 St. Nicholas avenu[illegible] west side, 51 ft. south of West 150[illegible] street (Block No. 2064, Lot Nos. [illegible] and 34), Borough of Manhattan.

CAL. NO. 395-37-BZ—Application, August 9, 1937, und[illegible] section 21 of the building zone reso[illegible] tion, of Joseph J. Nista, applicant, [illegible] behalf of Florence Helfrich, owner, [illegible] permit in a business use district, [illegible] a temporary period of not more th[illegible] two (2) years, the parking and stor[illegible] of more than five (5) motor vehicl[illegible] premises 1058 Union avenue, east s[illegible] 192-01 ft. south of East 166th st[illegible] (Block No. 2679, part of Lot No. [illegible] Borough of The Bronx.

CAL. NO. 537-37-BZ—Application, November 15, 1937, [illegible] der sections 7h and 21 of the build[illegible] zone resolution of Isidore Beerm[illegible] applicant, on behalf of Schulte Re[illegible] Company, owner, to permit in a b[illegible] ness use district, for a tempo[illegible] period of not more than two (2) y[illegible] the parking and storage of more [illegible] five (5) motor vehicles; premises 7[illegible] to 72-17 Roosevelt avenue, north [illegible] 100 ft. west of 72rd street and 721[illegible] 7230 Broadway (Block No. 1283, [illegible] Nos. 72, 80, 90, 93, 97, 99 and par[illegible] 84), Jackson Heights, Borough [illegible] Queens.

CAL. NO. 582-38-BZ—Application, July 8, 1938, under [illegible] tion 21 of the building zone resolut[illegible] of Charles H. Pfaff, applicant [illegible] behalf of Justine Schwab, owne[illegible] permit in a business use district[illegible] extension of an existing gasoline[illegible] vice station; premises 222-45 to 2[illegible] Braddock avenue (Rocky Hill r[illegible] northwest corner of Sabre [illegible] (Block No. 7967, Lot No. 39 and[illegible] of Lot No. 41), Queens Village, [illegible] ough of Queens.

CAL. NO. 262-37-BZ—Application, June 4, 1937, under[illegible]

tions 7h and 21 of the building zone resolution, of Henry W. Schober, applicant, on behalf of Herbert H. Peters, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 21-11 Menahan street, north side, 101.67 ft. east of Grandview avenue (Block No. 2204, Lot Nos. 68, 71 and 80), Ridgewood, Borough of Queens.

AL. NO. 255-38-BZ—Application, April 11, 1938, under section 21 of the building zone resolution, of Irving Kudroff, applicant, on behalf of Aberdeen Garage, Inc., owner, to permit in a business use district the extension of an existing public garage (previously granted by the board) by the construction of a new ramp and also the erection and maintenance of a gasoline service station, analytical service, greasing station, motor vehicle shop for minor repairs and brake service station; premises 2181-2191 Jerome avenue, west side, from Clinton place to West 182nd street, 3 Clinton place and 4 West 182nd street (Block No. 3195, Lot Nos. 66 and 69), Borough of The Bronx.

AL. NO. 416-38-BZ—Application, May 27, 1938, under sections 7a and 21 of the building zone resolution, of Emanuel H. Jerabek, applicant, on behalf of Josephine Pokorny, owner, to permit in a business use district, the extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and also, a motor vehicle repair shop; premises 162-42 to 162-44 Piedgeon Meadow road (Fresh Meadow road), west side, 235.23 ft. north of Laburnum avenue (Block No. 5461, Lot Nos. 44, 46, 47 and 49), Flushing, Borough of Queens.

L. NO. 736-38-BZ—Application, August 16, 1938, under section 7g of the building zone resolution, of Francis T. Christy, applicant, on behalf of Rockefeller Center, Inc., lessee, The Trustees of Columbia University in the City of New York, owner, to permit in a retail use district the erection and maintenance of a building to be occupied as a garage for more than five (5) motor vehicles and offices; premises 25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan.

. NO. 609-37-BZ—Application, December 22, 1937, under section 7h of the building zone resolution of Grand Street Realty Corporation owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 91-02 168th street, west side, 150.72 ft. north of Jamaica avenue (Block No. 867, Lot Nos. 83, 85 and 86), Jamaica Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 4, 1938, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October* 4, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 174-36-BZ—Application of Szold and Brandwen, applicants, on behalf of New York Clothing Cutters Centre, Inc., owner, reopened September 13, 1938, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 44-46 East 12th street, south side, 132 ft. west of Broadway (Block No. 563, Lot No. 28), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 11, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October* 11, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 731-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Fred B. McDuffee, Director, Bureau of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of an extension to an existing garage for the storage of more than five (5) motor vehicles; premises 535-543 East 120th street, northwest corner of East River drive (Block 1817, part of Lot No. 13), Borough of Manhattan.

CAL. NO. 801-38-BZ—Application, September 19, 1938, under sections 7a, 7c and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Sam S. Glauber, Inc., owner, to permit in a residence use district the extension in height of an existing business building by erecting an extension on the roof; premises 521-529 East 79th street, north side, 198 ft. west of East End avenue (Block No. 1576, Lot No. 14), Borough of Manhattan.

CAL. NO. 666-38-BZ—Application, July 26, 1938, under sections 7g and 21 of the building zone resolution, of Benjamin Braunstein, applicant, on behalf of Sunnyside Building Cor-

CALENDAR

poration, The East New York Savings Bank and Estate of Andrew Wischerth (Charlotte Power and Veronica Wischerth, executrices), owners, to permit in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles to be operated in conjunction with a proposed multiple dwelling; premises 101-125 Sunnyside avenue north side, 210 ft. 1 in. east of Miller avenue (Block No. 3885, Lot Nos. 10, 12 and 41 and part of Lot No. 100), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 11, 1938, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October* 11, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further arugument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 583-38-BZ—Application, July 8, 1938, under section 7h of the building zone resolution of Harry Yahr, applicant, on behalf of The Mutual Life Insurance Company of New York, owner, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 18, 1938, 2 P. M.

Appeals from Administrative Orders

758-38-A—341 Broadway, west side, 83 ft. 5 in. north of Worth street (Block No. 173, Lot No 30), Borough of Manhattan.

761-38-A—118 Chambers street, south side, 112 ft. 11½ in. west of Church street (Block No. 136 Lot No. 23), Borough of Manhattan.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Stand ards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, Octobe* 18, 1938, at 2 o'clock, in Room 1013, Municipal Building on the following matter:

CAL. NO. 99-33-BZ—Application of Seelig and Finkelstein applicants, on behalf of New Yor Rapid Transit Corporation, owner, re opened September 20, 1938, for consid eration as to extension of permit—per mit having expired by limitation—re Ap plication, previously granted on cond tion, under section 21 of the buildin zone resolution, permitting in a bus ness use district the use and occupanc of a vacant plot of ground as an ope air parking space for more than fi (5) motor vehicles for a tempora period; premises 3068-3074 Ocean par way, west side, 283 ft. 7 in. north Sea Breeze avenue (Block No. 72 part of Lot Nos. 57 and 60), Borou of Brooklyn.

HARRIS H. MURDOCK, *Chairma*

NOVEMBER 15, 1938, 2 P. M.

Appeal from Administrative Order

306-38-A—1602 Avenue J, southeast corner of East 10 street (Block No. 6718, Lot No. 1), Bo ough of Brooklyn.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 20, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

583-38-BZ.

APPLICANT—Harry Yahr, for The Mutual Life Insurance Company of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit partly in a retail use district and partly in a business use district for a temporary period of not more than two (2) years the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Yahr, H. A. West, S. Shapiro and H. G. Clugatch.

For Opposition: Benjamin Gollay, Nathan Meyer, J. B. Vandever and Frederick Dess

ACTION OF BOARD—Laid over to October 11, 1938 2 P. M., without further argument, to permit spection by committee of the board.

630-38-BZ.

APPLICANT—Bethlehem Engineering Corporation, Mutual Life Insurance Company, owner.

SUBJECT—Application (re decision of the borough su intendent of buildings) under sections 7b, 7c 7g of the building zone resolution, to pe partly in a restricted retail use district and pa in a retail use district, the erection and main ance of a building to be used as a motion pic theatre, a bus station and garage for more than (5) motor vehicles.

PREMISES AFFECTED—118-134 Park avenue, west

from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan.

APPEARANCES—
For Applicant: None.
For Opposition: Henry G. Van Veen and Herbert Maass.

ACTION OF BOARD—Laid over to September 27, 1938, at 10 A. M., on request of applicant agreed to by other parties in interest, for the purpose of further conference with Borough President to settle questions that have arisen.

09-37-BZ.

APPLICANT—Grand Street Realty Corporation, owner.

SUBJECT—Application for consideration—adjournment of hearing set for September 27, 1938, 10 A. M. session—re application (decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—91-02 168th street, west side, 150.72 ft. north of Jamaica avenue (Block No. 867, Lot Nos. 83, 85 and 86), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: N. A. Weidberg.
For Opposition: None.

ACTION OF BOARD—Application set for hearing September 27, 1938 at 10 A. M., laid over to October 4, 1938, at 10 A. M., on condition that owners within the affected area, be notified by regular mail.

THE VOTE TO LAY OVER TO OCTOBER 4, 1938, 10 A. M.—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

5-37-BZ.

APPLICANT—William C. Winters, for George I. Laird, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—3008-3012 Fulton street and 233-241 Linwood street, southeast corner (Block No. 3956, Lot No. 43), Borough of Brooklyn.

APPEARANCES—
For Applicant: Geo. I. Laird, William C. Winters and Stetson C. Davidson.
For Opposition: None.

ACTION OF BOARD—Application withdrawn without prejudice.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

-38-BZ.

APPLICANT—Alfred H. Eccles for Otto Grumbach, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—93-11 to 93-25 Rockaway boulevard and 103-28 to 103-36 94th street, northwest corner (Block No. 9114, Lot No. 19), Woodhaven, Borough of Queens.

APPEARANCES—
For Applicant: Alfred H. Eccles.
For Opposition: None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

389-29-BZ.

APPLICANT—Scacchetti & Siegel, for 2356 Concourse Realty Corporation, owner.

SUBJECT—Application, reopened June 14, 1938 (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the alteration and change of occupancy of part of the first story of an apartment house from residence use to business use (stores).

PREMISES AFFECTED—2356-2366 Grand Concourse, 245 Field place, 2355-2365 Ryer avenue and 246 East 184th street (Block No. 3159, Lot Nos. 40 and 42), Borough of The Bronx.

APPEARANCES—
For Applicant: Max Siegel.
For Opposition: Maurice D. Dubin.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(389-29-BZ)

WHEREAS, Scacchetti and Siegel, for 2356 Concourse Realty Corporation, owner, filed an application under the building zone resolution to permit in a residence use district the alteration and change of occupancy of part of the first story of an apartment house from residence use to business use (stores); Premises: 2356-2366 Grand concourse, 245 Field place, 2355-2365 Ryer avenue and 246 East 184th street (Block No. 3159, Lot Nos. 40 and 42), Borough of the Bronx; and

WHEREAS, the application was granted by the board but no work was done and applicant requested a reopening of the case; and

WHEREAS, the application was reopened June 14, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand concourse is in a residence and business use district; Ryer avenue is in a residence and business use district; East 184th street is in a business and residence use district; and Field place is in a residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated June 28, 1938, re Alt. App. No. 417-38, reads:

"1. Proposed stores are unlawful. Same are in a 'Residence District', Article 2, Section 3, Zone Resolution."

and

WHEREAS, the building is of non-fireproof construction,

196 ft. on Grand concourse, 84.1 ft. on Field place, 197.3 ft. on Ryer avenue, and 61 ft. on East 184th street, to be occupied as stores; and

WHEREAS, these premises were inspected by a Committee of the board prior to hearing; and

WHEREAS, a variation was granted by the board in 1932 under the same calendar number, and the permit expired by limitation, no work having been done within the eighteen-month period; since the application was previously reopened and extended on May 16, 1933; and

WHEREAS, the conditions are substantially the same as they were in 1932 when the Board acted—there being a business zone on the Concourse the next block to the north, and also an existing business use in this very building which was established prior to the adoption of the zoning resolution, and also a business use to the north at the corner of Field place which was granted by the board some years ago; and also there have been court decisions which have been referred to by the chairman during the hearings as well as changes in zoning in the general area by the Board of Estimate and Apportionment.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of November 26, 1929, so that as amended the resolution will read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-c, only so far as it affects the first story along the Grand concourse, *on condition* that there shall be no stores created or established on the Ryer avenue front, and that the arrangement of the store occupancy shall be substantially in accordance with the revised plans filed with this application and received July 1, 1938, except that no stores shall be erected in the areas now used for entrances to the building and for yards or courts; that there shall be no connection between these stores and any other part of the multiple dwelling, and no windows shall open from these stores to any courts used therewith; that the permitted business occupancy shall be separated from the balance of the building by fireproof walls not less than eight inches in thickness; that no portion of the cellar shall be used in connection with these stores; that the floor framing on the stores shall be of fireproof construction; that fireproof ceiling construction shall be erected in all these stores; that, where it is necessary to retain existing dumbwaiter shafts, the existing partitions shall be supplemented by additional partitions not less than 4 inches in thickness of fireproof material, and the doors opening in the first story to the dumbwaiter shafts shall be entirely removed; that no doorways to the stores shall be erected on East 184th street or Field place; that no windows shall be nearer the new proposed entrance on Field place than twenty feet; that for a distance easterly from the corner of the Grand concourse of fifteen feet, where show windows may be erected, other windows shall have their sills not less than six feet above grade; that no wares or merchandise of any business conducted on the premises shall be exposed or displayed outside the building; that advertising shall be restricted to the permanent signs erected over each store below the belt course of the second story, excluding all signs extending beyond the building line for a distance of more than six inches; that the occupancy of these stores shall be restricted against funeral parlors, bake shops having ovens, paint stores, and automotive service stores other than those now legally existing; that all permits shall be obtained and the work completed within one year from the date of this amended resolution."

574-38-BZ.

APPLICANT—W. H. and J. F. Dusenbury, for Melvin Y. Hard and Amelia Oberscheimer von de Driesch, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7b and 7c of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a business building (Undertaking establishment).

PREMISES AFFECTED—175 Echo place, north side, 59.14 ft. west of Grand Concourse (Block No. 2808, Lot No. 24), Borough of The Bronx.

APPEARANCES—

For Applicant: J. F. Dusenbury and Melvin Y. Hard.

For Opposition: Julius S. Wikler, Jacob Bachkoff, Mrs. Caroline K. Rost, Samuel C. Rimson and Jack G. Marks.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative .....

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....

Absent .....

THE RESOLUTION—

(574-38-BZ)

WHEREAS, W. H. and J. F. Dusenbury, for Melvin Y. Hard and Amelia Oberscheimer von de Driesch, owners, filed July 6, 1938, an application under the building zone resolution to permit partly in a business use district and partly in a residence use district the erection and maintenance of a business building (undertaking establishment) premises: 175 Echo place north side 59.14 ft. west of Grand Concourse (Block No. 2808 Lot No. 24) Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Echo place is in a residence and business use district; Grand Concourse is in a residence use district; East Tremont avenue is in a business and residence use district and East 178th street is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated July 5, 1938, re N.B. Application No. 308-38 reads:

"1. The proposed erection of building to be occupied as an Undertaking Establishment located partly in a business district and partly in a residence district is contrary to section 3 of the Building Zone Resolution"

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 100 ft. An irregularly shaped area at the west lot line of the plot (having a frontage of approximately 6 ft. on Echo place) is located in a business use district; the remainder of the plot is in a residence use district. It is proposed to demolish the dwelling and one-car garage now on the site and to erect thereon a two (2) story nonfireproof building 50 ft. by 90 ft. in area, to be used as an undertaking establishment; and

WHEREAS, the premises and surrounding area were inspected by a committee of the board prior to hearing; and

WHEREAS, the board deemed that establishment of an undertaking business at these premises would be injurious to adjacent affected properties and that it would be possible to use the plot under appeal for conforming use, and that the application under sections 7-b and 7-c should therefore be denied.

Resolved, that the decision of the borough superintendent of buildings in acting on N.B. Application No. 308-38, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

284-36-BZ.

APPLICANT—William T. McCarthy, for House of Giles the Cripple, owner.

MINUTES

SUBJECT—Application, reopened July 8, 1938 (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a "C" area district and partly in an "E" area district, the alteration and extension in height of an existing hospital building and the erection of additions thereto to occupy a greater area than permitted by the building zone resolution (previously acted upon by the board).

PREMISES AFFECTED—1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block No. 1285, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: William T. McCarthy.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(284-36-BZ)

WHEREAS, W. T. McCarthy for House of St. Giles the Cripple, owner, filed September 22, 1936, an application under the building zone resolution to permit partly in a "C" area district and partly in an "E" area district the alteration and extension in height of an existing hospital building and the erection of additions thereto to occupy a greater area than permitted by the Building Zone Resolution, affecting premises 1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block No. 1285, Lot No. 7), Borough of Brooklyn; and

WHEREAS, this application was granted by the board October 23, 1936 on certain conditions and applicant requested an amendment of this resolution; and

WHEREAS, this application was reopened by vote of the board July 8, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the building zone resolution show that President street is in a residence use and "E" area district; Brooklyn avenue is in a residence use, "E", "B" and "C" area district; and Carroll street is in a residence use and "C" area district; and

WHEREAS, the decision of the borough superintendent of buildings, dated July 6, 1938 re Alt. Permit No. 6058-38 and Amt. App. No. 9616-1938, reads:

"1. Original resolution of the Board of Standards and Appeals limited extension of the Brooklyn avenue side to 2-story and basement structure.

2. Vestibule as shown on plans is encroaching on the 10 ft. setback required in a residential "E" district.

3. Solarium on roof of new extension is not shown on plans filed with the board.

Above amendment application is hereby denied."

and

WHEREAS, the premises consist of a plot of ground, located in an "E" area and in a "C" area district, having a frontage of 100 ft. on President street and 124 ft. 7 in. on Brooklyn avenue, an area of approximately 12,460 sq. ft There is located upon the plot a 3-story and attic building 92 ft. 1 in. by 40 ft. 7 in. in area, occupied as a hospital; and

WHEREAS, it is proposed to erect an additional (3rd) story on the westerly wing of the building, said 2-story and basement wing previously granted by the board on October 23, 1936. It is proposed to erect upon the roof of the 3rd story a glass enclosure to be used as a solarium. It is proposed to omit the erection of the (granted) 4th story to the main building. It is proposed, also, to erect upon Brooklyn avenue side of the new wing (and also within the required 10 ft. setback) a vestibule 8 ft. 4 in. by 7 ft. 8 in. in area. This vestibule extends for a distance of one foot into the "C" area district; the remainder (7 ft. 4 in.) is in the "E" area district; said vestibule sets back 2 ft. 4 in. from the building line.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 23, 1936, *on the condition* that the building is not extended further in area or height than as shown on the revised plans filed July 6 and September 14, 1938, and except that in place of the iron railing on the roof toward the south to enclose the solarium where parallel to the rear lot line, a brick wall shall be constructed of the same height as the railing; and that all permits shall be obtained and all work completed within one year from the date of this amended resolution.

Adjourned, 12:45 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 20, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

-33-BZ.

PPLICANT—Seelig and Finkelstein, for New York Rapid Transit Corporation, owner.

UBJECT—Application for consideration—reopening and extension of permit—re application (decision of the superintendent of buildings), under section 21 of the building zone resolution, permitting in a business use district the use and occupancy of a vacant plot of ground, an open air parking space for more than five (5) motor vehicles.

PREMISES AFFECTED—3068-3074 Ocean parkway, west side, 283 ft. 7 in. north of Sea Breeze avenue (Block No. 7282, part of Lot No. 57 and part of Lot No. 60), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry Finkelstein and Charles J. Larkin.

ACTION OF BOARD—Application reopened and set for hearing, October 18, 1938 at 2 P. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

485-28-BZ.

APPLICANT—David S. Lang, for Service Garage Inc., owner.

SUBJECT—Application for consideration—reopening and amendment (re decision of the borough superintendent of buildings) re application previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the alteration and change of occupancy of a portion of an existing garage for more than five (5) motor vehicles (previously granted by the board) so as to include a gasoline service station.

PREMISES AFFECTED—3561-3567 White Plains road and 670 East 213th street, southwest corner (Block No. 4643, Lot No. 36), Borough of The Bronx.

APPEARANCES—

For Applicant: David S. Lang.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(485-28-BZ)

WHEREAS, this application affecting premises 33561-3567 White Plains road and 670 East 213th street, southwest corner (Block No. 4643, Lot No. 36), The Bronx, was granted by the board January 15, 1929, permitting partly in a business use district and partly in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles, on certain conditions, plans were later approved showing the building set back from the building line, and then amended to permit this space to be used as a gasoline service station; and

WHEREAS, present owner requests a reopening of the case and an amendment of the resolution to permit the erection of a ramp.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on January 15, 1929, as amended by resolution of the board on June 18, 1935, so that as amended the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that the building shall not exceed in height two stories above the White Plains road curb, and shall be constructed fireproof throughout; that there shall be not more than one vehicular entrance on the East 213th street front, this entrance being restricted to the lower story level service; that the southerly and westerly walls shall be unpierced throughout their entire height and length; that the exterior of the walls on the street front shall be finished with light color face brick, with natural stone or architectural terra cotta trim; that there shall be no signs or advertising display of any nature or description on the East 213th street front; that there shall be no sign, other than one electrical projecting sign, indicating the title and business conducted on the premises displayed on the White Plains road front; that any skylights installed in the top story shall be located not less than 25 ft. easterly from the westerly wall; that any gasoline storage installed shall be located towards the White Plains road front at the southerly end of the structure; that the facade of the building shall be designed substantially in accordance with the drawings submitted in this application, and that the architect shall make a return of the finished drawings for approval to this board before submission to the superintendent of buildings.

"*Resolved further,* that in the event the owner desires to set the building back from the building line approximately 17 ft. at the southerly end and approximately 21 ft. at the northerly end and to cement this portion as a gasoline selling area, gasoline pumps may be erected *on condition* that they are installed not less than 10 ft. from the building line and also that there shall be erected along the 213th street building line for a distance of not less than 18 ft. a masonry wall at least 3 ft. higher than the gasoline selling area; that other than as permitted in this amended resolution, the resolution adopted by the board on January 15, 1929, shall be complied with; *and that in the event the owner desires to erect a ramp from the cellar to grade at the northeast corner of building, so as to permit entrance and exiting of automobiles to White Plains road from the cellar, said ramp may be constructed substantially as indicated on plans marked 'Received September* 6, 1938,' *on condition that the construction shall meet all requirements of the Building Code, and on further condition that no greasing pits shall be located in the gasoline selling area on the White Plains road front of building but that two* (2) *existing pneumatic lifts, now at the southerly end of the gasoline selling area, may be continued.*"

528-28-BZ.

APPLICANT—Charles Graff, for Albran Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, permitting in a business use district extending from an unrestricted use district the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—442-452 89th street and 8902 Fifth avenue, southwest corner (Block No. 6066, Lot No. 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles Graff.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	
Negative	
Absent	

THE RESOLUTION—

(528-28-BZ)

WHEREAS, this application affecting premises 442-452 89t street and 8902 Fifth avenue, southwest corner (Block N 6066, Lot No. 26), Borough of Brooklyn, was granted b the board at its meeting, December 14, 1928, on certai conditions and extensions of time granted and applica requests a further extension.

Resolved, that the resolution adopted by the board c December 14, 1928, be and it hereby is *amended,* only s far as it refers to the completion of the work, so that amended that portion of the resolution will read:

"That in view of statement by applicant that all pla have been filed and permits obtained, that all wo shall be completed within one year from the date this amended resolution, *on condition* that other th as amended herein the resolution adopted by t board on December 14, 1928, and as subsequent amended, shall be complied with in all respects."

8-33-BZ.

APPLICANT—Joseph B. Lynch for Colonial Beacon (Company, Inc., lessee.

SUBJECT—Application reopened July 22, 1938, for cons eration as to amendment of resolution—re appli tion, previously granted on condition, under s tion 21 of the building zone resolution permitti

in a business use district the erection and maintenance of a gasoline service station.
PREMISES AFFECTED—184-39 to 184-53 Jamaica avenue, northwest corner of 185th street (Block No. 971, Lot No. 38), Hollis, Borough of Queens.
APPEARANCES—
For Applicant: Joseph B. Lynch.
For Opposition: None.
ACTION OF BOARD—Resolution amended.
THE VOTE TO AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—

(8-33-BZ)

WHEREAS, this application, under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station affecting premises 184-39 to 184-53 Jamaica avenue, northwest corner of 185th street (Block No. 971, Lot No. 38), Hollis, Borough of Queens, was granted by the board May 23, 1933 on certain conditions and owner requested an amendment of the resolution; and

WHEREAS, this application was reopened by vote of the board July 22, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on May 23, 1933, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that the accessory buildings shall be located at rear of plot; that all accessory buildings shall be constructed of fireproof materials, including that portion of building over greasing pits and crank-service racks; that wall of accessory buildings shall be constructed of face brick or similar fireproof material, the roof covered with slate or tile; that the fronts of greasing pits are to be left open, without doors; that the accessory buildings shall be limited to one story in height; that there shall be erected on interior lot lines, a brick wall not less than 8 ft. in height, constructed of material similar to facing of accessory buildings; that walls of accessory buildings may be included as part of lot line walls; that the ground shall be cement-paved, except the planted areas hereinafter referred to; that there shall be a planted area approximately 7 ft. in width and 7 ft. in depth with a curbed protection, at the building line, near the intersection of the westerly property line; that a similar curbed area shall be constructed at the intersection of Jamaica avenue and 185th street; that along the building line of Jamaica avenue, approximately in the centre, there shall be constructed a similar curbed area not less than 50 ft. in length and 8 ft. in width, with curved corners; these areas shall be sodded or planted; that along 185th street, from the northerly lot line to a point approximately 30 ft. from the intersection of Jamaica avenue, there shall be a masonry wall constructed as herein required for the interior lot lines, except that such wall shall only be 3 ft. in height; that the entrances to the premises shall consist of not over two (2) entrances from Jamaica avenue, 35 ft. in width, with curb cuts opposite of same width, and one (1) from 185th street, not over 21 ft. in width, with curb cut opposite of similar width; that all gasoline pumps shall be installed so they shall not be nearer than 24 ft. to building line of Jamaica avenue; that no portable gasoline pumps shall be used on or from the premises; that there shall be no open excavation under accessory buildings except for the pits of the greasing racks; that there shall be no open flame on the premises, except the accessory building may be heated by means of an oil burner, *on condition* the heater room containing such burner shall be separated by partitions of fireproof material and enterable only from the exterior of building; that there shall be no repairing of cars; that no cars shall be parked or stored on the premises other than those being serviced; that all advertising signs shall be restricted to illuminated globes of gasoline pumps and a permanent flat sign attached to the exterior of the accessory building and to two (2) post standards erected within the building line, one toward the west and one toward the east, each for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, and permitting such signs to extend from the building line for a distance of not more than 4 ft., and excluding all signs of a temporary nature and roof signs; that general illumination of the plot shall be by means of standards with metal reflectors arranged to reflect downwardly and away from the adjoining occupancy to the north; and that all permits and all work shall be completed within one year from the date of this action.

APPEALS FROM ADMINISTRATIVE ORDERS

741-38-A.
APPLICANT—Agnes Heilbrunn, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—175-10 Hillside avenue, southeast corner of 175th street (Block No. 9834, Lot No. 10), Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: Joseph Heilbrunn.
ACTION OF BOARD—Laid over to September 27, 1938, at 2 P. M. pending inspection by committee of board.

758-38-A.
APPLICANT—Samuel Rudy, for Swan Realty Corporation, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—341 Broadway, west side, 83 ft. 5 in. north of Worth street (Block No. 173, Lot No. 30), Borough of Manhattan.
APPEARANCES—
For Applicant: Samuel Rudy.
For Administration: Inspector Maher, Fire Dept.
ACTION OF BOARD—Laid over to October 18, 1938, at 2 P. M., pending inspection by commiittee of board.

761-38-A.
APPLICANT—Samuel Rudy, for Katherine A. Wood, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—118 Chambers street, south side, 112 ft. 11½ in. west of Church street (Block No. 136, Lot No. 23), Borough of Manhattan.
APPEARANCES—
For Applicant: Samuel Rudy.
For Administration: Inspector Maher, Fire Dept.
ACTION OF BOARD—Laid over to October 18, 1938, at 2 P. M. pending inspection by committee of board.

745-38-A.
APPLICANT—John Jos. Carroll for Angelina Castellano, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—697 Gates avenue, north side, 25 ft. east of Sumner avenue (Block No. 1629, Lot No. 75), Borough of Brooklyn.

APPEARANCES—
For Applicant: John J. Carroll.

ACTION OF BOARD—Appeal withdrawn, without argument.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

72-38-A.

APPLICANT—Walter S. Schneider for New China Amusement Company, lessee.

SUBJECT—Application for reopening — amendment — re Appeal from a decision of the acting borough superintendent, department of housing and buildings.

PREMISES AFFECTED—73-79 Henry street and 75-85 East Broadway, northwest corner of Forsyth street (Block No. 282, Lot No. part of 3), Borough of Manhattan.

APPEARANCES—
For Applicant: Wm. C. Chadbourne, Robert C. Thomson, Jr. and Rex J. Howard.
For Administration: Capt. Foster, Fire Department and Jacob Scharf, Department of Housing and Buildings

ACTION OF BOARD—Request to reopen withdrawn in connection with Cal. No. 682-38-A.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

682-38-A.

APPLICANT—Chadbourne, Hunt, Jaeckel & Brown, for New China Amusement Company, lessee.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—73-79 Henry street, northwest corner of Forsyth street and 75-85 East Broadway (Block No. 282, part of Lot No. 3), Borough of Manhattan.

APPEARANCES—
For Applicant: Wm. C. Chadbourne, Robert C. Thomson, Jr. and Rex J. Howard.
For Administration: Capt. Foster, Fire Department and Jacob Scharf, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn after argument.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—
(682-38-A)

WHEREAS, Chadbourne, Hunt, Jaeckel and Brown, for the New China Amusement Company, lessee, filed on July 29, 1938, an appeal from a decision of the fire commissioner, affecting premises 73-79 Henry street, northwest corner of Forsyth street and 75-85 East Broadway (Block No. 282, part of Lot No. 3), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, No. 607, dated July 19, 1938, reads:

"2. Install an automatic sprinkler system in accordance with chapter 26-746.0, paragraph 1a, Administrative Code.

3. Install a standpipe (fire line) system in accordance with chapter 26-746.0, paragraph 2a, Administrative Code."

and

WHEREAS, the building is one story (30 ft.) in height 116 ft. 4 in., irregular by 99 ft. 2½ in. in area, of fireproof construction, located in an unrestricted use district, erected in 1920 and occupied throughout as a theatre; and

WHEREAS, this site under appeal was the subject of an inspection by a committee of the board; and

WHEREAS, the site was also inspected by Captain Foster of the Division of Public Assembly of the Fire Department, whose report was given at this hearing; and

WHEREAS, it was the board's opinion that inasmuch as applicant wanted to change the classification from a motion picture theatre to a theatre, the applicant should file plans with the borough superintendent and then, if necessary, appeal to this board from that action.

Resolved, that the appeal be and it hereby is *withdrawn*

535-38-A.

APPLICANT—Brooklyn Trust Company, as Trustee, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—124 Beach 17th street, southeast corner of Seagirt avenue (Block No. 150, Lot No. 1), Far Rockaway, Borough of Queens.

APPEARANCES—
For Applicant: George O. Lebermann and Robert Helmer.
For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Application granted in accordance with report of committee.

THE VOTE TO GRANT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....
Negative .....
Absent .....

THE RESOLUTION—
(535-38-A)

WHEREAS, Brooklyn Trust Company, as trustee, applicant and owner, filed June 24, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises 124 Beach 17th street, southeast corner of Seagirt avenue (Block No. 150, Lot No. 1), Far Rockaway, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated June 17, 1938, on Alt. Applic. No. 4683-1938, reads:

"1. Certificate of Occupancy for this building cannot be issued at this time as there is no record to indicate that this building was legally erected under approved permit.

Application N.B. 8901-1923 for the erection of the bath houses was never approved for the following reasons:

This building is of a larger area than that permitted by the code for frame buildings.

Construction weak as to sills and columns.

Show that all knee braces are bolted to columns.

and

WHEREAS, the premises in question consists of a plot 7 ft. by 400 ft. in area on which is erected a frame building one-story, 11 ft. in height, located in a business "D" district, erected in 1923 and occupied as a bath house; and

WHEREAS, the applicant contends that the present owner was not responsible for the illegal construction; that the violation has continued for fifteen years, without appearance objections; that the present management is experienced and responsible; that great care is exercised in watching over the safety of the patrons of the bath, especially with re-

to danger from fire; that the present owner, as trustee, is attempting to administer the property to the interests of the certificated mortgage holders and the patrons of the establishment and that the present owner seeks to cooperate in the problem of finding a fair basis for legalizing the construction of the establishment, so that a certificate of occupancy may be issued; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, which report was read at the hearing and which report reads as follows:

REPORT OF COMMITTEE

Re.: Cal. No. 535-38-A
124 Beach 17th street, southeast corner
Seagirt avenue, Far Rockaway.

The superintendent of buildings has refused to issue a certificate of occupancy for the premises under appeal because no permit was ever issued for the construction.

Plans were filed for the erection of frame buildings by Ostend Baths, Inc., under Plan No. 8901 of 1923. The buildings consisted of frame bath houses in rows and board walks, without a continuous roof over the entire area which was shown to extend for a length of 400 ft. along the water front and for a general depth of 278 ft.

The bath houses were built without plan approval and have been permitted to continue to date without violation or interference and a new owner desires a certificate of occupancy.

It is represented that, if the board will grant a variation of the code as to the excessive extent of the frame structure, objection as to which was registered at the time plans were filed, the building superintendent will deal with any further objections.

After inspection by a committee of the board and consideration of the plans and length of time that the structure has been permitted to continue, as well as the type of use, the passageways not roofed over and the fire-resistive roofing of the bath house cubicles, it is recommended that the appeal be granted only as to the outstanding objection reading: "This building is of larger area than permitted by the code for a frame building"—provided all other requirements of law are met.

The committee observed that there has been more work done toward the east, consisting of more bath houses and swimming pools, which are apparently not considered in this appeal; the committee is dealing only with the arrangement as comprehended under plan No. 8901 of 1923.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH
(concurring),
Committee.

d

WHEREAS, the report recommended the granting of this peal in accordance with their report.

Resolved, that the decision of the borough superintendent acting on Alteration Application No. 4683-1938, be and hereby is *modified*, and the appeal be and it hereby is *nted in accordance with report of committee of inspec-n.*

)-38-A.

'PLICANT—Isidor Herman, lessee, for John Maus, owner.

'BJECT—Appeal from a decision of the borough superintendent of buildings.

:EMISES AFFECTED—4420-4424 Church avenue, southwest corner of East 45th street (Block No. 4898, Lot Nos. 10 and 12), Borough of Brooklyn.

'PEARANCES—
For Applicant: None.
For Opposition: Leo H. Schoen.
For Administration: S. Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(639-38-A)

WHEREAS, Isidor Herman, lessee, for John Maus, owner, filed on July 19, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 4420-4424 Church avenue, southwest corner of East 45th street (Block No. 4898, Lot Nos. 10 and 12), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent, dated July 6, 1938, reads as follows:

"This is to advise you that, as provided by Section 2.1.2.7 of the Building Code and Section C-26-180.0 of the Administrative Code, I have this day revoked Permit No. 5485/38 on the grounds of misrepresentation as to a material fact in the application on which the permit was based, in that inspection shows that premises are being occupied for the parking of more than five cars in a business district, which is contrary to the Building Zone Resolution."

and

WHEREAS, Lot Nos. 10 and 12 have a combined frontage of 80 ft. on Church avenue, 103.9 ft. on East 45th street, which the applicant contends is occupied for parking of not more than five (5) cars; and

WHEREAS, the applicant contends that Violation No. 3504-38 was issued June 28, 1938; said violation reads as follows:

"In Violation of 2.1.2.5. of the Building Code, also Art. 3, Sub. 1, Group 2, Sec. C 26-178.0 of the Administrative Code, the corner lot which is 80 ft. by 100 ft. has been enclosed with a 4 ft. wire fence; the approved plans show lot to be 13 ft. by 50 ft.

The lessee is occupying the whole lot for parking cars; also a driveway 10 ft. wide has been installed in centre of lot, and no permit for curb cut.

You are required to discontinue parking cars on these premises until approved plans have been complied with."

and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, which committee found more than five cars occupying the premises and an area being occupied greater than covered by the permit; and

WHEREAS, at the two hearings held on this case nobody appeared in behalf of the applicant.

Resolved, that the decision of the Borough Superintendent, dated July 6, 1938, be and it hereby is *affirmed*, and the appeal be and it hereby is *denied*.

686-38-A.

APPLICANT—Bush Terminal Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—Pier No. 1, foot of 50th street, 533 ft. west of First avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.

APPEARANCES—
For Applicant: George J. Watson, Thomas A. Hilly, Clarence H. Wilson, B. Matthews, Fred Connor and W. Pato.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0
Absent 0

THE RESOLUTION—

(686-38-A)

WHEREAS, Bush Terminal Company, owner, filed on August 4, 1938, an appeal from an order and decision of the Fire Commissioner, affecting premises Pier No. 1, First avenue, west side, foot of 50th street (Block No. 725, Lot No. 1), East River, Borough of Brooklyn; and

WHEREAS, order No. 358-LF, issued by the Fire Commissioner, dated May 19, 1938, reads:

"1. Provide 15 water tanks of at least 40 gallons capacity with six water buckets to each tank on Pier. Tanks to be marked FIRE, kept full of clean water mixed with a non-freezing solution and not to be used for any other purpose. C19-161.0 Administrative Code of the City of New York."

and

WHEREAS, said order was repeated in a decision of the Fire Commissioner, dated July 5, 1938, and

WHEREAS, the premises consist of a one-story pier, 29 ft. in height, 144 ft. by 1320 ft. in area, of wood and steel frame construction, equipped with a standpipe and a sprinkler system; erected in 1909; located in an unrestricted use district and occupied for the handling of cargo; and

WHEREAS, the applicant contends that Pier No. 1 has a very complete and modern automatic sprinkler system throughout the entire pier, which is fed by a 12-in. main extending the entire length of Pier No. 1. Such main is branched from a 16-in. underground main extending along the water front. These mains are supplied from two (2) 1500 G.P.M. fire pumps which maintain an 85-lb. pressure at all times. The main and fire pumps are for fire protection purposes exclusively. The secondary supply is from tanks located 125 ft. above the dock grade with a total supply of 320,000 gallons. There is also at the head of each pier, a Siamese steamer connection for use of Fire Department pumps and/or Fire Patrol boats. The sprinkler system is constantly under electrical supervision and a manual check is made for defective parts, etc., and when the very infrequent fires have occurred on Bush piers, the sprinklers and water curtains have functioned efficiently, so as to cause comment of their value. Constructed with the sprinkler system are a number of sheet metal aprons extending from the roof downward some 12 feet, for the purpose of banking heat in advance of any fire that might occur and accordingly releasing the sprinklers, that such fire may be prevented from spreading, assuring greatest efficiency from the system. Constructed several years past upon recommendation of the Fire Department, a series of standpipes strategically located at 180 feet intervals throughout the pier operated by a 2½-in. standpipe valve, also approved by the Fire Department. Each standpipe station is equipped with 100 ft. of hose, so spaced that two effective streams could be brought upon any fire, at any point upon the pier. The standpipe station is checked and kept in proper condition at all times.

Additional numerous 2½-in. water hose connections are located at points along the sides of the pier for ship connections, such being connected directly to the City water mains at a pressure of 45 to 60 pounds. Further protection is had in a number of manual fire alarm boxes located throughout the pier. The boxes are directly connected to the fire pump house, which is fully manned 24 hours of every day. In such arrangement the engineers are duly notified by National District Telegraph Company. There are telephones located at various points on the pier; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board.

Resolved, that the order and decision of the Fire Commissioner be and they hereby are *modified*, and the appeal be and it hereby is *granted on condition* that the existing fire equipment, consisting of sprinkler system, a standpipe system, and exterior sprinklers to protect outside of pier building, shall be maintained to the satisfaction of the Fire Commissioner.

687-38-A.

APPLICANT—Bush Terminal Company, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—Pier No. 2, foot of 49th street 533 ft. west of First avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.
APPEARANCES—
For Applicant: George J. Watson, Thomas A. Hilly, Clarence H. Wilson, B. Matthews, Fred Connor and W. Pato.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....
Negative .....
Absent .....

THE RESOLUTION—

(687-38-A)

WHEREAS, Bush Terminal Company, owner, filed on August 4, 1938, an appeal from an order and decision of the fire commissioner, affecting premises Pier No. 2, First avenue, west side, foot of 49th street (Block No. 725, Lot No. 1), East River, Borough of Brooklyn; and

WHEREAS, Order No. 9308 issued by the fire commissioner, dated May 28, 1938, reads:

"1. Provide 90 pails of water and 15 barrels throughout the pier."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated July 5, 1938; and

WHEREAS, the premises consist of a one story pier, ft. in height, 144 ft. by 1,320 ft. in area, of wood and steel frame construction, equipped with a standpipe and sprinkler system; erected in 1909; located in an unrestricted use district and occupied for the handling cargo; and

WHEREAS, the applicant contends that Pier No. 2 has very complete and modern automatic sprinkler system throughout the entire pier, which is fed by a 12 in. main extending the entire length of Pier No. 2. Such main branched from a 16 in. underground main extending along the water front. These mains are supplied from two 1,500 G.P.M. fire pumps which maintain an 85 lb. pressure at all times. The main and fire pumps are for fire protection purposes exclusively. The secondary supply is from tanks located 125 ft. above the dock grade with a total supply of 320,000 gallons. There is also at the head of each pier a Siamese steamer connection for use of Fire Department pumps and/or Fire Patrol boats. The sprinkler system is constantly under electrical supervision and a manual check is made for defective parts, etc., and when the very infrequent fires have occurred on Bush piers, the sprinklers and water curtains have functioned efficiently so as to cause comment of their value. Constructed with the sprinkler system are a number of sheet metal aprons extending from the roof downward some 12 ft., for the purpose of banking heat in advance of any fire that might occur and accordingly releasing the sprinklers, that such fire may be prevented from spreading, assuring greatest efficiency from the system. Constructed several years past upon recommendation of the Fire Department, a series of standpipes strategically located at 180 ft. intervals throughout the pier operated by a 2½ in. standpipe valve, also approved by the Fire Department. Each standpipe station is equipped with 100 ft. of hose, so spaced that two effective streams could be brought upon any fire, at any point upon the pier. The standpipe station is checked and kept in proper condition at all times.

Additional numerous 2½ in. water hose connections located at points along the sides of the pier for ship

nections, such being connected directly to the City water mains at a pressure of 45 to 60 pounds. Further protection is had in a number of manual fire alarm boxes located throughout the pier. The boxes are directly connected to the fire pump house which is fully manned 24 hours of every day. In such arrangement the engineers are duly notified by National District Telegraph Company. There are telephones located at various points on the pier; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board.

Resolved, that the order and decision of the fire commissioner be and they hereby are *modified*, and the appeal be and it hereby is *granted on condition* that the existing fire equipment, consisting of sprinkler system, a standpipe system and exterior sprinklers to protect outside of pier building, shall be maintained to the satisfaction of the fire commissioner.

688-38-A.

APPLICANT—Bush Terminal Company, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—Pier No. 3, foot of 47th street, 533 ft. west of First avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.
APPEARANCES—
For Applicant: George J. Watson, Thomas A. Hilly, Clarence H. Wilson, B. Matthews, Fred Connor and W. Pato.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(688-38-A)

WHEREAS, Bush Terminal Company, owner, filed on August 4, 1938, an appeal from an order and decision of the fire commissioner, affecting premises Pier No. 3, First avenue, west side, foot of 47th street (Block No. 725, Lot No. 1), East River, Borough of Brooklyn; and

WHEREAS, order No. 311-LF issued by the fire commissioner, dated May 16, 1938, reads:

"1. Provide 15 water tanks of at least 40 gallons capacity with six water buckets to each tank on Pier. Tanks to be marked FIRE, kept full of clean water mixed with a non-freezing solution and not to be used for any other purpose. C19-161.0 Administrative Code of City of New York."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated July 5, 1938, and

WHEREAS, the premises consist of a one story pier, 29 ft. in height, 144 ft. by 1,335 ft. in area, of wood and steel frame construction, equipped with a standpipe and a sprinkler system; erected in 1909; located in an unrestricted use district and occupied for the handling of cargo; and

WHEREAS, the applicant contends that Pier No. 3 has a very complete and modern automatic sprinkler system throughout the entire pier, which is fed by a 12 in. main extending the entire length of Pier No. 3. Such main is branched from a 16 in. underground main extending along the water front. These mains are supplied from two (2) 500 G.P.M. fire pumps which maintain an 85 lb. pressure at all times. The main and fire pumps are for fire protection purposes exclusively. The secondary supply is from tanks located 125 ft. above the dock grade with a total supply of 320,000 gallons. There is also at the head of each pier a Siamese steamer connection for use of Fire Department pumps and/or Fire Patrol boats. The sprinkler system is constantly under electrical supervision and manual check is made for defective parts, etc., and when the very infrequent fires have occurred on Bush piers, the sprinklers and water curtains have functioned efficiently, so as to cause comment of their value. Constructed with the sprinkler system are a number of sheet metal aprons extending from the roof downward some 12 feet, for the purpose of banking heat in advance of any fire that might occur and accordingly releasing the sprinklers, that such fire may be prevented from spreading, assuring greatest efficiency from the system. Constructed several years past upon recommendation of the Fire Department, a series of standpipes strategically located at 180 feet intervals throughout the pier operated by a 2½ in. standpipe valve, also approved by the Fire Department. Each standpipe station is equipped with 100 ft. of hose, so spaced that two effective streams could be brought upon any fire, at any point upon the pier. The standpipe station is checked and kept in proper condition at all times.

Additional numerous 2½ in. water hose connections are located at points along the sides of the pier for ship connections, such being connected directly to the City water mains at a pressure of 45 to 60 pounds. Further protection is had in a number of manual fire alarm boxes located throughout the pier. The boxes are directly connected to the fire pump house which is fully manned 24 hours of every day. In such arrangement the engineers are duly notified by National District Telegraph Company. There are telephones located at various points on the pier; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board.

Resolved, that the order and decision of the fire commissioner be and they hereby are *modified*, and the appeal be and it hereby is *granted on condition* that the existing fire equipment, consisting of sprinkler system, a standpipe system and exterior sprinklers to protect outside of pier building, shall be maintained to the satisfaction of the fire commissioner.

689-38-A.

APPLICANT—Bush Terminal Company, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—Pier No. 4, foot of 46th street, 533 ft. west of First avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.
APPEARANCES—
For Applicant: George J. Watson, Thomas A. Hilly, Clarence H. Wilson, B. Matthews, Fred Connor and W. Pato.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(689-38-A)

WHEREAS, Bush Terminal Company, owner, filed on August 4, 1938, an appeal from an order and decision of the Fire Commissioner affecting premises Pier No. 4, First avenue, west side, foot of 46th street (Block No. 725, Lot No. 1), East River, Borough of Brooklyn; and

WHEREAS, order No. 363-LF, issued by the Fire Commissioner dated May 19, 1938, reads:

"1. Provide 15 water tanks of at least 40 gallons capacity with six water buckets to each tank on Pier. Tanks to be marked FIRE, kept full of clean water mixed with a non-freezing solution and not to be used for any other purpose. C19-161.0 Administrative Code of City of New York."

and

WHEREAS, said order was repeated in a decision of the Fire Commissioner, dated July 5, 1938, and

WHEREAS, the premises consist of a one-story pier, 29 ft. in height, 144 ft. by 1305 ft. in area of wood and steel frame construction, equipped with a standpipe and a sprink-

ler system; erected in 1909; located in an unrestricted use district and occupied for the handling of cargo; and

WHEREAS, the applicant contends that Pier No. 4 has a very complete and modern automatic sprinkler system throughout the entire pier, which is fed by a 12-in. main extending the entire length of Pier No. 4. Such main is branched from a 16-in. underground main extending along the water front. These mains are supplied from two (2) 1500 G.P.M. fire pumps which maintain an 85-lb. pressure at all times. The main and fire pumps are for fire protection purposes exclusively. The secondary supply is from tanks located 125 ft. above the dock grade with a total supply of 320,000 gallons. There is also at the head of each pier a Siamese steamer connection for use of Fire Department pumps and/or Fire Patrol boats. The sprinkler system is constantly under electrical supervision and a manual check is made for defective parts, etc,, and when the very infrequent fires have occurred on Bush piers, the sprinklers and water curtains have functioned efficiently, so as to cause comment of their value. Constructed with the sprinkler system are a number of sheet metal aprons extending from the roof downward some 12 feet, for the purpose of banking heat in advance of any fire that might occur and accordingly releasing the sprinklers, that such fire may be prevented from spreading, assuring greatest efficiency from the system. Constructed several years past upon recommendation of the Fire Department, a series of standpipes strategically located at 180 ft. intervals throughout the pier operated by a 2½-in. standpipe valve, also approved by the Fire Department. Each standpipe station is equipped with 100 ft. of hose, so spaced that two effective streams could be brought upon any fire, at any point upon the pier. The standpipe station is checked and kept in proper condition at all times.

Additional numerous 2½-in. water hose connections are located at points along the sides of the pier for ship connections, such being connected directly to the City water mains at a pressure of 45 to 60 pounds. Further protection is had in a number of manual fire alarm boxes located throughout the pier. The boxes are directly connected to the fire pump house which is fully manned 24 hours of every day. In such arrangement the engineers are duly notified by National District Telegraph Company. There are telephones located at various points on the pier; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the Board.

Resolved, that the order and decision of the Fire Commissioner be and they hereby are *modified,* and the appeal be and it hereby is *granted on condition* that the existing fire equipment, consisting of sprinkler system, a standpipe system and exterior sprinklers to protect outside of pier building, shall be maintained to the satisfaction of the Fire Commissioner.

690-38-A.

APPLICANT—Bush Terminal Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—Pier No. 5, foot of 44th street, 533 ft. west of First avenue (Block No. 725, Lot No. 1), East River, Borough of Brooklyn.

APPEARANCES—

For Applicant: George J. Watson, Thomas A. Hilly, Clarence H. Wilson, B. Matthews, Fred Connor and W. Pato.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(690-38-A)

WHEREAS, Bush Terminal Company, owner, filed on August 4, 1938, an appeal from an order and decision of the fire commissioner, affecting premises Pier No. 5, First avenue, west side, foot of 44th street (Block No. 725, Lot No 1), East River, Borough of Brooklyn; and

WHEREAS, order No. 788-LF issued by the fire commissioner, dated July 1, 1938, reads:

> "1. Provide 15 water tanks of at least 40 gallon capacity with six water buckets to each tank on Pier Tanks to be marked FIRE, kept full of clean wate mixed with a non-freezing solution and not to be use for any other purpose. C19-161.0 Administrative Cod of City of New York."

and

WHEREAS, said order was repeated in a decision of th fire commissioner, dated July 5, 1938, and

WHEREAS, the premises consist of a one story pier 29 f in height, 144 ft. by 1,291.83 ft. in area, of wood and stee frame construction, equipped with a standpipe and a sprink ler system; erected in 1909; located in an unrestricted us district and occupied for the handling of cargo; and

WHEREAS, the applicant contends that Pier No. 5 has very complete and modern automatic sprinkler syste throughout the entire pier, which is fed by a 12 in. mai extending the entire length of Pier No. 5. Such main branched from a 16 in. underground main extending alon the water front. These mains are supplied from two (2 1500 G.P.M. fire pumps which maintain an 85 lb. pressu at all times. The main and fire pumps are for fire protec tion purposes exclusively. The secondary supply is fro tanks located 125 ft. above the dock grade with a tot supply of 320,000 gallons. There is also at the head each pier a Siamese steamer connection for use of Fi Department pumps and/or Fire Patrol boats. The sprin ler system is constantly under electrical supervision and manual check is made for defective parts, etc., and wh the very infrequent fires have occurred on Bush piers, t sprinklers and water curtains have functioned efficientl so as to cause comment of their value. Constructed wi the sprinkler system are a number of sheet metal apro extending from the roof downward some 12 feet, for t purpose of banking heat in advance of any fire that mig occur and accordingly releasing the sprinklers, that su fire may be prevented from spreading, assuring greate efficiency from the system. Constructed several years p upon recommendation of the Fire Department, a series standpipes strategically located at 180 feet interva throughout the pier operated by a 2½ in. standpipe val also approved by the Fire Department. Each standpipe s tion is equipped with 100 ft. of hose, so spaced that t effective streams could be brought upon any fire, at a point upon the pier. The standpipe station is checked a kept in proper condition at all times.

Additional numerous 2½ in. water hose connections a located at points along the sides of the pier for ship c nections, such being connected directly to the City wa mains at a pressure of 45 to 60 pounds. Further protect is had in a number of manual fire alarm boxes loca throughout the pier. The boxes are directly connected the fire pump house which is fully manned 24 hours every day. In such arrangement the engineers are d notified by National District Telegraph Company. Th are telephones located at various points on the pier; and

WHEREAS, the site under appeal was the subject of inspection by a committee of the board.

Resolved, that the order and decision of the fire c missioner be and they hereby are *modified,* and the appea and it hereby is *granted on condition* that the existing equipment, consisting of sprinkler system, a standpipe tem and exterior sprinklers to protect outside of pier bu ing, shall be maintained to the satisfaction of the fire c missioner.

691-38-A.

APPLICANT—Bush Terminal Company, owner.

SUBJECT—Appeal from an order and a decision of fire commissioner.

MINUTES

PREMISES AFFECTED—Pier No. 6, foot of 42nd street, 513.08 ft. west of First avenue (Block Nos. 715 and 720, Lot No. 1), East River, Borough of Brooklyn.

APPEARANCES—

For Applicant: George J. Watson, Thomas A. Hilly, Clarence H. Wilson, B. Matthews, Fred Connor and W. Pato.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(691-38-A)

WHEREAS, Bush Terminal Company, owner, filed on August 4, 1938, an appeal from an order and decision of the fire commissioner, affecting premises Pier No. 6, First avenue, west side, foot of 42nd street (Block Nos. 715 and 720, Lot No. 1), East River, Borough of Brooklyn; and

WHEREAS, Order No. 9301 issued by the fire commissioner, dated May 18, 1938, reads:

"1. Provide 90 pails of water throughout the pier." and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated July 5, 1938; and

WHEREAS, the premises consist of a two-story pier, 43 ft. in height, 266.08 ft. by 1,248 ft. in area, of wood and steel frame construction, equipped with a standpipe and a sprinkler system; erected in 1909; located in an unrestricted use district and occupied for the handling of cargo; and

WHEREAS, the applicant contends that Pier No. 6 has a very complete and modern automatic sprinkler system throughout the entire pier, which is fed by a 12 in. main extending the entire length of Pier No. 6. Such main is branched from a 16 in. underground main extending along the water front. These mains are supplied from two (2) 1,500 G.P.M. fire pumps which maintain an 85 lb. pressure at all times. The main and fire pumps are for fire protection purposes exclusively. The secondary supply is from tanks located 125 ft. above the dock grade with a total supply of 320,000 gallons. There is also at the head of each pier a Siamese steamer connection for use of Fire Department pumps and/or Fire Patrol boats. The sprinkler system is constantly under electrical supervision and a manual check is made for defective parts, etc., and when the very infrequent fires have occurred on Bush piers, the sprinklers and water curtains have functioned efficiently, so as to cause comment of their value. Constructed with the sprinkler system are a number of sheet metal aprons extending from the roof downward some 12 ft., for the purpose of banking heat in advance of any fire that might occur and accordingly releasing the sprinklers, that such fire may be prevented from spreading, assuring greatest efficiency from the system. Constructed several years past upon recommendation of the Fire Department, a series of standpipes strategically located at 180 ft. intervals throughout the pier operated by a 2½ in. standpipe valve, also approved by the Fire Department. Each standpipe station is equipped with 100 ft. of hose, so spaced that two effective streams could be brought upon any fire, at any point upon the pier. The standpipe station is checked and kept in proper condition at all times.

Additional numerous 2½ in. water hose connections are located at points along the sides of the pier for ship connections, such being connected directly to the City water mains at a pressure of 45 to 60 pounds. Further protection is had in a number of manual fire alarm boxes located throughout the pier. The boxes are directly connected to the fire pump house which is fully manned 24 hours of every day. In such arrangement the engineers are duly notified by National District Telegraph Company. There are telephones located at various points on the pier; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board.

Resolved, that the order and decision of the fire commissioner be and it hereby are *modified*, and the appeal be and it hereby is *granted on condition* that the existing fire equipment, consisting of sprinkler system, a standpipe system and exterior sprinklers to protect outside of pier building, shall be maintained to the satisfaction of the fire commissioner.

700-38-A.

APPLICANT—Bush Terminal Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—Pier No. 7, foot of 41st street, 1335 ft. west of Second avenue (Block No. 710, Lot No. 1), East River, Borough of Brooklyn.

APPEARANCES—

For Applicant: George J. Watson, Thomas A. Hilly, Clarence H. Wilson, B. Matthews, Fred Connor and W. Pato.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(700-38-A)

WHEREAS, Bush Terminal Company, owner, filed on August 4, 1938, an appeal from an order and decision of the Fire Commissioner, affecting premises Pier No. 7, Second avenue, west side, foot of 41st street (Block No. 710, Lot No. 1), Borough of Brooklyn; and

WHEREAS, order No. 9302, issued by the Fire Commissioner, dated May 18, 1938, reads:

"1. Provide 90 pails of water throughout the pier." and

WHEREAS, said order was repeated in a decision of the Fire Commissioner, dated July 5, 1938; and

WHEREAS, the premises consist of a one-story pier, 29 ft. in height, 144 ft. by 1200 ft. in area, of wood and steel frame construction equipped with a standpipe and a sprinkler system; erected in 1909; located in an unrestricted use district and occupied for the handling of cargo; and

WHEREAS, the applicant contends that Pier No. 7 has a very complete and modern automatic sprinkler system throughout the entire pier, which is fed by a 12-in. main extending the entire length of Pier No. 7. Such main is branched from a 16-in. underground main extending along the water front. These mains are supplied from two (2) 1500 G.P.M. fire pumps which maintain an 85-lb. pressure at all times. The main and fire pumps are for fire protection purposes exclusively. The secondary supply is from tanks located 125 ft. above the dock grade with a total supply of 320,000 gallons. There is also at the head of each pier a Siamese steamer connection for use of Fire Department pumps and/or Fire Patrol boats. The sprinkler system is constantly under electrical supervision and a manual check is made for defective parts, etc., and when the very infrequent fires have occurred on Bush piers, the sprinklers and water curtains have functioned efficiently, so as to cause comment of their value. Constructed with the sprinkler system are a number of sheet metal aprons extending from the roof downward some 12 feet, for the purpose of banking heat in advance of any fire that might occur and accordingly releasing the sprinklers, that such fire may be prevented from spreading, assuring greatest efficiency from the system. Constructed several years past upon recommendation of the Fire Department, a series of standpipes strategically located at 180 ft. intervals throughout the pier operated by a 2½-in. standpipe valve, also approved by the Fire Department. Each standpipe station is equipped with 100 ft. of hose, so spaced that two effective streams could

be brought upon any fire, at any point upon the pier. The standpipe station is checked and kept in proper condition at all times.

Additional numerous 2½-in. water hose connections are located at points along the sides of the pier for ship connections, such being connected directly to the City water mains at a pressure of 45 to 60 pounds. Further protection is had in a number of manual fire alarm boxes located throughout the pier. The boxes are directly connected to the fire pump house which is fully manned 24 hours of every day. In such arrangement the engineers are duly notified by National District Telegraph Company. There are telephones located at various points on the pier; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board.

Resolved, that the order and decision of the Fire Commissioner be and they hereby are *modified*, and the appeal be and is hereby is *granted on condition* that the existing fire equipment, consisting of sprinkler system, a standpipe system and exterior sprinklers to protect outside of pier building, shall be maintained to the satisfaction of the fire commissioner.

724-38-A.

APPLICANT—Jerome Spies for 1400 Broadway Corporation, lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—1400 Broadway, 111-115 West 38th street, northeast corner and 114-118 West 39th street (15th floor); (Block No. 814, Lot No. 19), Borough of Manhattan.

APPEARANCES—

For Applicant: Jerome Spies.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(724-38-A)

WHEREAS, Jerome Spies, for 1400 Broadway Corporation, lessee, filed on August 11, 1938, an appeal from an Order of the fire commissioner affecting premises 1400 Broadway, 111-115 West 38th street, northeast corner and 114-118 West 39th street (15th floor); (Block No. 814, Lot No. 19), Borough of Manhattan; and

WHEREAS, the Order of the fire commissioner No. 13531-LC, issued by the fire commissioner on July 12, 1938, reads:

"2. Discontinue and remove the direct method of refrigeration from hallway.

3. Discontinue and remove the direct method of refrigeration from hallway containing elevator shafts.

NOTE:—This order applies to the premises of H. Frank.

* * *

3. Discontinue and remove the direct method of refrigeration from hallway.

4. Discontinue and remove the direct method of refrigeration from hallway containing elevator shafts.

NOTE:—This order applies to the premises of International Dress Co."

and

WHEREAS, the building is 35 stories (435 ft. 1 in.) in height, 229 ft. 8 in. by 197 ft. 5 in. in area; of fireproof construction; equipped with a standpipe and a sprinkler system; located in retail use district; erected in 1931 and occupied as follows: Cellar—storage and shipping, 150 persons; 1st floor—stores, 250 persons; 2nd to 17th floors—inclusive offices, showrooms and 5% manufacturing, 450 persons per floor; 18th to 23rd floors—offices, showrooms and 5% manufacturing—400 persons per floor; 23rd to 28th floors inclusive—offices, showrooms and 5% manufacturing—350 persons per floor; 28th to 35th floors inclusive—offices, showrooms and 5% manufacturing—300 persons per floor; Certificate of Occupancy No. 23739 was issued June 23, 1938, permitting the following occupancy: Cellar—storage; 1st floor—stores, 95 persons; 2nd to 22nd floors, inclusive, offices, showrooms and factory, 225 persons per floor; 23rd to 25th floors—offices, showrooms and factory—195 persons each floor; 26th to 35th floors—offices, showrooms and factory—95 persons each floor; not more than 5% of floor area in building to be used for manufacturing purposes; and

WHEREAS, the applicant contends that the Order applies to the 15th floor, which is used solely for the manufacture and sale at wholesale of women's dresses, with an average employment of 250 persons; that the hallway, in which the condenser is located is a private hallway, used solely for the purpose of receiving and shipping merchandise; from the condenser one liquid and one gas line are connected to a refrigerating machine, containing 25 lbs. of refrigerant; this machine is used to condition the showroom and models' room, as indicated on plans filed with this appeal; an additional liquid and an additional gas line run to two compressors containing 45 lbs. of freon refrigerant; this unit conditions the stock room and the clerical department, as shown on plans filed with this appeal; the copper refrigerating lines, running across hallway, are in a hung ceiling and sleeved in a steel conduit; both machine units are electrically interconnected so that one unit will start the condenser; failure of the condenser will immediately stop all units; there are 80 windows on the 15th floor; all partitions except those shown on plans in dotted lines are of metal construction; partitions shown by dotted lines are dwarf partitions of steel and wire mesh; the 15th floor is served by 6 freight and 13 passenger elevators; there are three stairways; that due to safeguards in the maintenance and operation of the refrigerating plant and the type of building in which it is installed, a modification is requested

Resolved, that order of the fire commissioner No. 13531-LC be and it hereby is *modied*, and the appeal be and is hereby is *granted on condition* that the total amount of freon used for the three (3) compressors, located on the 15th floor of this building, shall at no time exceed 75 lbs., that the wall between the shaft containing the freight elevators and the shaft containing passenger elevators shall be continuous, constructed of fireproof materials, and that the doors to the freight elevator shaft shall be reasonably close-fitting.

726-38-A.

APPLICANT—American Sanitary Partition Company lessee, for Interboro Industrials, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—37-16 22nd street (Sunswick street), west side, 285 ft. north of 38th avenue (Block No. 364, Lot No. 35), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Rudolph Oberwager and I. A. Cook.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....
Negative .....
Absent .....

THE RESOLUTION—

(726-38-A)

WHEREAS, American Sanitary Partition Company, lessee for Interboro Industrials, Inc., owner, filed August 1938, an appeal from an order and decision of the fire commissioner affecting premises 37-16 22nd street (Sunwick street), west side, 285 ft. north of 38th avenue (Block

No. 364, Lot No. 35), Long Island City, Borough of Queens; and

WHEREAS, the order of the fire commissioner No. 74726-LC, dated March 21, 1938, reads:

"5. Discontinue the maintenance of any open flames or sparking device within floor area where spray coating is carried on, or separate said open flames or sparking device by partitions constructed of fireproof or fire-resisting material. Rule 6.1.8-a, Spray Rules."

and

WHEREAS, the building is one story, 15 ft. in height, 50 ft. by 100 ft. in area of non-fireproof construction, located in an unrestricted use district and erected in 1926 and occupied as follows: Cellar—boiler room, no persons; 1st floor—manufacturing metal partitions, 8 persons; and

WHEREAS, the Certificate of Occupancy No. 30853 was issued June 30, 1927 to permit the building to be occupied on the first floor as a factory and garage; and

WHEREAS, the applicant states that there is no garage use in the building; and

WHEREAS, applicant contends that the baking oven is vented through the roof, gas chambers are fully enclosed, there is no hazard existing as spray booth is of the type approved by the Labor Department; that the erection of any partition between the spray booth would make it impossible to carry on the business of the applicant.

Resolved, that the order of the fire commissioner No. 74726-LC be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the baking oven shall be completely enclosed—a type similar to the "Gehnrich," with the pilot light within the oven and the oven ventilated to exterior air; that the spray booth shall comply with the requirements of the Paint Spraying Rules of the Board of Standards and Appeals and shall not be nearer than 15 ft. to any open flame; that no other open flame, including welding machines, shall be nearer than 25 ft. to the spray booth; and that in all other respects, the equipment and occupancy shall comply with all laws relative thereto and shall be maintained to the satisfaction of the fire commissioner.

754-38-A.

APPLICANT—Joshua Tabatchnik, for Nathan Kalmonowitz, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—32 Hart street, south side, 329 ft. east of Nostrand avenue (Block No. 1770, Lot No. 25), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joshua Tabatchnik.

For Administration: S. Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(754-38-A)

WHEREAS, Joshua Tabatchnik, for Nathan Kalmonowitz, owner, filed August 30, 1938, an appeal from a decision of the acting borough superintendent of buildings affecting premises 32 Hart street, south side, 329 ft. east of Nostrand avenue (Block No. 1770, Lot No. 25), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent of buildings, dated August 15, 1938, on Application B475-38 reads:

"3. Comply with attached viols.

8. Horizontal duct not acceptable for 1st story w.c. compt. ventilation. Sec. 200.

10. W.C. compts. to be within apts. Sec. 200.

11. Show rooms to have a least horizontal dimension of 6 ft. 0 in. and comply with Sec. 174."

and

WHEREAS, the building is 3 stories and basement (39 ft.) in height, 19 ft. by 42 ft. in area, of non-fireproof construction, located in a residence, "B" area district, erected in 1890 and occupied since 1928 as follows: Cellar—storage, basement and 1st story, 1 family; 2nd floor—1 family; 3rd floor, 1 family; it is proposed to occupy the building as follows: Cellar—storage, basement, 1 family; 1st floor—1 family; 2nd floor, 1 family; 3rd floor, 1 family; and

WHEREAS, the applicant contends that in connection with objection 3, violation No. 10, it appears said violation reads:

"Discontinue or make conforming to law the front west bedroom and front east bedroom in third story apartment."

and

WHEREAS, applicant contends, as to objection No. 3, that front west and east bedrooms on 3rd story are existing and are provided with existing means of light and ventilation; that east bedroom is 5 ft. 10 in. wide and 8 ft. 6 in. long and is provided with 3 ft. 0 in. by 2 ft. 2 in. B.S.B. window, and that west bedroom is provided with two 3 ft. 0 in. by 2 ft. 2 in B.S.B. windows, and is 12 ft. wide and 15 ft. long, that this condition existed on the date when this building was recorded as an heretofore converted multiple dwelling; that in compliance with Sec. 171, the size of rooms or light in same has not been diminished; that Sec. 173 provides for discretionary power in reference existing light and ventilation, that situated on the top story and facing the street these rooms are now adequately lighted and ventilated and that Article 6 of the Multiple Dwelling Law does not specifically require the alteration of existing size of rooms and windows.

OBJECTION 8.

There are structural difficulties preventing the installation of a vertical duct from the bathroom on 1st story to roof; such duct would either have to pass through the existing stair, diminishing the size of same, or through existing kitchen plumbing fixtures on 2nd and 3rd stories, which fixtures would have to be relocated. The existing 12 in. by 12 in. G.I. duct runs 8 ft. 8 in. horizontally instead of the required 20 ft. vertical run and this shorter run will serve the same purpose more efficiently.

OBJECTION 10.

The existing bathrooms on 2nd and 3rd floors are geographically situated outside the boundary line of the stair and within the apartment. Sec. 200 does not specifically require a door from the bathroom into the apartment. In this type of building the 3rd floors have doors into the stair hall and the intercommunication between the rooms and bathroom is through the stairhall. Closing the bathroom door to stair and opening into a room will create a condition contrary to Sec. 179 in reference to privacy, i.e., passing from one bedroom into another to reach the bathroom. An opening in 3rd story bathroom will also interfere with the existing backventing of fixtures.

OBJECTION 11.

A—Rooms occupied as kitchens on 1st, 2nd and 3rd stories are not required to be 6 ft. 0 in. wide nor is each room required to have 550 cu. ft. of air. Sec. 174 specifically states "except as in sections . . . 176 . . ." Sec. 176 refers to Sec. 33 and Sec. 33 requires a minimum 49 sq. ft. in area.

B—East bedroom front on 2nd story is 5 ft. 11 in. wide, 11 ft. 3 in. long and 9 ft. 5 in. high. It contains more than 550 cu. ft. of air, but is 1 in. less in width than the required 6 ft. 0 in. Sec. 174 provides ". . . shall have a least horizontal dimension of not less than six feet . . ., if such room is in the basement, . . ." It is not clear whether this width is required for other floors. The room is existing as at the time of its conversion into a multiple dwelling; and

WHEREAS, the appeal is for a modification of the Multiple Dwelling Law, which neither the administrative official nor this board is empowered to grant.

Resolved, that the decision of the acting borough superintendent of buildings, re App. No. 10475-38, be and it hereby is *affirmed,* and the appeal be and it hereby is *denied.*

783-38-A.

APPLICANT—Abram Shlefstein, for Richard H. Bruchhausen, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—30-36 Henry street and 82 Middagh street, northwest corner (Block No. 216, Lot No. 26), Borough of Brooklyn.

APPEARANCES—
For Applicant: Abram Shlefstein.
For Administration: S. Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(783-38-A)

WHEREAS, Abram Shlefstein, for Richard H. Bruchhausen, owner, filed August 12, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises 30-36 Henry street and 82 Middagh street, northwest corner (Block No. 216, Lot No. 26), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on Application No. 11730-1938 dated September 6, 1938, reads:

"1. Gasoline station on same block and within 200 ft. of a Public School is contrary to Art. 5, Sec. 21 of the building zone resolution."

and

WHEREAS, the premises consist of a lot, 24 feet by 75 feet in area on which it was proposed to erect a one story building, 12.6 feet in height, 12 feet. by 12 feet in area of non-fireproof construction and to occupy the premises as an office and gasoline service station; the premises are located in an unrestricted use district; and

WHEREAS, applicant contends that this limitation contained in Article 5 of Sec. 21 of the zoning resolution does not apply to unrestricted zones. The only provision contained in the building and administrative codes which relate to the distance of gasoline stations from other buildings is that contained in the administrative code and which provides that no gasoline station shall be erected within 20 feet of a place of public assembly. The school referred to by the Department of Housing and Buildings is more than 20 feet from the site in question and such provision of the administrative code does not apply herein. The limitation contained in Sec. 21 insofar as it pertains to location of gasoline stations merely limits the board's power to vary the zoning ordinance in business and residence districts and does not by inference or otherwise apply to unrestricted districts; and

WHEREAS, in the opinion of the board, the prohibition as to gasoline stations adjacent to Public Schools applies to all districts including an unrestricted district and therefore the decision of the superintendent is correct.

Resolved, that the decision of the borough superintendent in acting on Application No. 11730—1938, be and it hereby is *affirmed,* and that the appeal be and it hereby is *denied.*

470-38-A.

APPLICANT—Achilles Construction Co., Inc., for Sam S. Glauber, Inc., owner.

SUBJECT—Application for consideration—reopening and rescindment of resolution—re appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—521-529 East 79th street, north side, 198 ft. west of East End avenue (Block No. 1576, Lot No. 14), Borough of Manhattan.

APPEARANCES—
For Applicant: Bernard Trencher.
For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution of June 14, 1938, rescinded.

THE VOTE TO REOPEN AND RESCIND RESOLUTION OF JUNE 14, 1938—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(470-38-A)

WHEREAS, Achilles Construction Co., Inc., applicant, for Sam S. Glauber, Inc., owner, filed on June 6, 1938, an appeal from a decision of the borough superintendent, Department of Housing and Buildings, affecting premises 521-529 East 79th street, north side, 198 ft. west of East End avenue (Block No. 1576, Lot No. 14), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, in acting on Alt. Applic. No. 1593-38, dated June 1, 1938, reads:

"1. The roof of the new story must be fireproof construction as the present building is over 7,500 sq. ft. in area and is of fireproof construction."

and

WHEREAS, the building is fireproof, erected in June 1924, two stories, 29 ft. in height, 135 ft. by 102 ft. 6 in. in area; located in a business district and occupied as follows: Cellar—boiler room and storage; 1st floor, office and storage, 10 persons; 2nd floor—storage of plumbing supplies, 5 persons; it is proposed to erect an additional story 48 ft. by 135 ft. in area of metal construction, to be used for storage of plumbing supplies, 5 persons; and

WHEREAS, this appeal was granted on condition on June 14, 1938; and

WHEREAS, the application incorrectly stated that the premises were located in a business use district, instead of a residence use district; and

WHEREAS, if correct information had been furnished as to the zoning, the board would not have granted the application, unless a zoning variance had first been applied for and granted.

Resolved, that the appeal be and it hereby is reopened and the resolution of June 14, 1938, be and it hereby *rescinded.*

563-38-A.

APPLICANT—National Association of Audubon Societies, owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1006 Fifth avenue, east side, 77.2 ft. south of East 82nd street (Block No. 14[illegible], Lot No. 72), Borough of Manhattan.

APPEARANCES—
For Applicant: John H. Baker.
For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....
Negative .....
Absent .....

MINUTES

THE RESOLUTION—

(563-38-A)

WHEREAS, Eric Kebbon, for National Association of Audubon Societies, owner, filed July 1, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises 1006 Fifth avenue, east side, 77.2 ft. south of East 82nd street (Block No. 1493, Lot No. 72), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent dated June 17, 1938, re. Alt. Applic. No. 1687-1938, reads:

"2. If building is intended to be used throughout for educational purposes exclusively, it must then comply with Art. 4.2.1 Building Code which calls for a fireproof building throughout.

3. Means of egress are inadequate. One enclosed stair, complying with Art. 6 of the Building Code must be provided."

and

WHEREAS, the building is six stories (71 ft.) in height, 25 ft. by 99 ft. in area, of non-fireproof construction, located in a residence use district, erected in 1899 and occupied: Cellar—storage and mailing room, 4 persons; 1st floor—reception room and exhibition room, 3 persons; 2nd floor—library and committee rooms, 1 person; 3rd floor—offices, 5 persons; 4th floor—office, 7 persons; 5th floor—offices, 8 persons; 6th floor—offices, 5 persons; and

WHEREAS, the applicant contends that in view of the limited occupancy and inasmuch as the building is of partly fireproof construction, the exterior walls being of masonry, the floors of steel and terra cotta arches with the lower flange of the steel beams fireproofed with terra cotta, and as the elevator and dumbwaiter shafts are enclosed with terra cotta, it is respectfully requested that a reconsideration be granted from Objection *Two* of the Department of Housing and Buildings; that it is also respectfully requested that a reconsideration be granted from Objection *Three* of the Department of Housing and Buildings and that it be permitted to maintain the present main wood stair and stud partitions; and

WHEREAS, the Board in acting on this appeal, is considering only the structural condition of the building and is not considering the application of the zoning resolution; and

WHEREAS, on July 6, 1938, this appeal was granted on condition by the board and the owner requested an amendment of the resolution, relative to the exit from the rear yard.

Resolved, that the decision of the borough superintendent, re. Alt. Applic. No. 1687-1938, Objections 2 and 3, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the occupancy above the street floor shall at no time exceed fifty (50) persons; that the front and rear stairways shall be enclosed within partitions, which may be of wood studs with wire lath and plaster both sides; with fireproof, self-closing doors at openings to and above roof; that the stairs in the cellar shall be enclosed in terra cotta partitions; that from the rear yard there shall be an opening in the fence so as to permit exit to the adjoining property; *that in the event the permission for such fence opening cannot be obtained from the adjoining owners, that there shall be constructed a substantial double-rung, steel stairway, not less than* 60 *degrees, from the yard area to the top of fence;* that there shall be installed a partial one-source sprinkler system, fed from street pressure, protecting both stairways and all spaces in the cellar except the boiler room; that the boiler room shall be separated from all other parts of the building, by fireproof construction and all openings thereto shall be protected with fireproof self-closing doors; that the elevator and dumbwaiter shafts shall be enclosed in fireproof partitions with fireproof, self-closing doors at all openings; and that in all other respects, all laws, rules and regulations shall be complied with as to the construction and occupancy of these premises.

VARIATION OF LABOR LAW

385-18-S.

APPLICANT—Eagle Electric Mfg. Co., Inc., lessee.

SUBJECT—Application for consideration—reopening and amendment—re variation of the labor law as cited in orders and a decision of the fire commissioner.

PREMISES AFFECTED—290-302 Park avenue, 59-79 Hall street and 68-70 Ryerson street (Block No. 1891, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: S. B. Kluger.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(385-18-S)

WHEREAS, this application, for a variation of the labor law, affecting premises 290-302 Park avenue, 59-79 Hall street and 68-70 Ryerson street (Block No. 1891, Lot No. 4), Borough of Brooklyn, was granted by the board on April 18, 1918; and

WHEREAS, the present lessee, the Eagle Electric Mfg. Co., Inc., requested a reopening of the case and an amendment of the resolution relative to violation Nos. 587-LF, 588-LF and 591-LF, issued by the fire commissioner, affecting the above mentioned premises; and

WHEREAS, the violation Nos. 587-LF, 588-LF and 591-LF, all dated June 16, 1938, read:

587-LF. (Park Avenue Building)

"2. Arrange iron bars and screens on windows on west, north and south sides of first story and cellar so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress as per Section 272 of the Labor Law."

588-LF. (Hall Street Building)

"2. Arrange iron bars and screens on windows in cellar and first story so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress as per Section 272 of the Labor Law."

591-LF. (Ryerson Street Building)

"2. Arrange iron bars and screens on windows on north, south and east sides of cellar and first story so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress as per Section 272 of the Labor Law."

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted on April 18, 1918, so that as amended, the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the Labor Law and that the application be and it hereby is *granted* so long as the conditions set forth remain substantially unchanged."

"*Resolved further, that in the event this occupancy is discontinued by the Jennings Lace Works and the premises are occupied by the Eagle Electric Mfg. Co., Inc., the resolution adopted by the board on April* 18, 1918, *may still be deemed to be in effect, on condition that the building is not increased in area and the occupants of the first floor and basement do not exceed a total of* 100 *persons and that the exits are maintained to the satisfaction of the fire commissioner; that so long as the requirements of this resolution are maintained, orders issued by the fire commissioner—Nos.* 587-*LF (Item* 2), 588-*LF (Item* 2) *and* 591-*LF (Item*

2) shall be dismissed, on further condition that all other requirements of the orders as to exit signs shall be complied with."

APPLIANCES SUBMITTED FOR APPROVAL

1105-22-SA.

APPLICANT—Samuel W. Ross, for Dietz Automatic Heat, Inc., representing The Heil Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Heil Combustion Oil Burner, Type D.

APPEARANCES—

For Applicant: Samuel W. Ross.

ACTION OF BOARD—Application reopened and referred to engineer of the board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

295-29-SA.

APPLICANT—Samuel W. Ross, for Dietz Automatic Heat, Inc., representing The Heil Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Heil Combustion Fuel Oil Burner, Type "B."

APPEARANCES—

For Applicant: Samuel W. Ross.

ACTION OF BOARD—Application reopened and referred to engineer of the board.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

591-29-SA.

APPLICANT—Kresky Manufacturing Company, owner.

SUBJECT—Amendment re change of name—Kres-Kno Oil Burner, Model MD, to Kresky Oil Burner, Model MD. (Reopened July 19, 1938.)

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(591-29-SA)

WHEREAS, this application for the approval of the device known as the Improved Kres-Kno Oil Burner was granted by the board June 10, 1930, approving the use of the Improved Kres-Kno Oil Burner for use in domestic and commercial installations; and

WHEREAS, B. I. Stamm, for the present owner, J. E. Kresky, requested approval of the Improved Kres-Kno Oil Burner, Model MD; and

WHEREAS, this device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

This burner, the Model MD, differs from the one originally approved by the board, in the following respects:

The position of the motor and fan has been changed and the old type trip bucket control has been replaced with an up-to-date constant level valve and electric oil control, type AP, manufactured by the Automatic Products Company.

The burner is also equipped with an oil pilot light. We observed the burner in operation and during this period of time, the flame was clean and free from soot and smoke.

Examination of the combustion chamber showed no undue carbon deposits. The burner may be either fully automatic or manually operated.

As a result of this inspection, it is recommended that this burner be approved for domestic and commercial use when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals on June 15, 1934, for fuel oil not heavier than No. 3; and

WHEREAS, this device was approved by the board on June 10, 1930, resolution amended October 23, 1934 and January 19, 1937 and applicant requested permission to market this device as the Kresky Oil Burner Model, MD; and

WHEREAS, this application was reopened by vote of the Board, July 19, 1938, and referred to the engineer of the Board.

Resolved, that the Board of Standards and Appeals does hereby *approve* the Improved Kres-Kno Oil Burner, the Improved Kres-Kno Oil Burner, Model MD, and the Vitro-Heet Oil Burner, Model MD, for use in domestic and commercial installations when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals for use with oil not heavier than No. 3 *on condition* that there shall be attached to each device a name plate permanently affixed stating that this device has been approved by the Board of Standards and Appeals for use in New York City under Calendar No. 591-29-SA.

Resolved further, that this device may also be marketed under the name of Kresky Oil Burner, Model MD, on condition that under whichever name marketed the requirements hereinbefore set forth shall be complied with.

357-38-SA.

APPLICANT—Colonial Stove Company, owner.

SUBJECT—Approval of Colalloy Kwik Konnector for Gas Stoves, manufactured by Colonial Stove Company.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of the engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(357-38-SA)

WHEREAS, the Colonial Stove Company, owner, filed May 12, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Colalloy Kwik Konnector for Gas Stoves; and

WHEREAS, the device was submitted to the Engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board was as follows:

REPORT OF TEST

Re: Cal. No. 357-38-SA.

Application of Colonial Stove Company

Approval of Colalloy Kwik Konnector for Gas Stove

Under date of May 12, 1938, the Colonial Stove Com

pany filed with the Board of Standards and Appeals an application for approval of the device known as the Colalloy Kwik Konnector for Gas Stoves.

Colalloy Kwik Konnector is made up of a semi-rigid tube of non-ferrous metal known as colalloy (an aluminum alloy) in combination with a nut and assembly at each end of tube. Each nut and assembly consists of two units. The one, the long tapered flare nut, is made to fit over the tubing so that its internal radial flare seat will support and fit snugly with a flare made on end of tubing. The other part of the assembly consists of a male female nut which connects with first unit at the extreme end surface of the male threaded end. There is also a radial seat made in same angle as radial seat of first unit. The tubing is ¾-in. with flared fittings made to fit readily ¾-in standard steel copper brass or other rigid pipe. This device is also constructed of the colalloy tubing and a threaded fitting swaged or sweated on the end, and sealed. This design is known as the steel alloy cupple type Colalloy Kwik Konnector. This device, in both designs above referred to, has been approved by the Laboratories of the United Gas Improvement Co.

The device with swaged end was subjected to a pressure and torsion test at the laboratory of the Consolidated Edison Co., 111th street and First avenue, New York City and withstood a gas pressure of 6 inches of water without leakage and a torsion test through 360° without failure.

As a result of these tests it is recommended that the Colalloy Kwik Konnector be approved for use in New York City as a connection from the house gas supply line to gas line of the gas burning device in accordance with C-26-1330.0 (14.13.8) BC C-26-1331.0 (14.13.9) BC, on condition that the device bear a label permanently affixed thereto reading, approved by the Board of Standards and Appeals for use in New York City under Cal. 357-38-SA.

LESLIE V. HUBER, *Chief Engineer.*

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Colalloy Kwik Konnector for Gas Stoves, both types, as a connecting device for gas appliances, when constructed, installed and labelled in accordance with the above report.

640-38-SA.

APPLICANT—M. Parcaro, for Penn Electric Switch Company, owner.

SUBJECT—Penn Overload Switch for Oil Burners, Type 730, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of the engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(640-38-SA)

WHEREAS, M. Parcaro, for the Penn Electric Switch Company, owner, filed July 19, 1938, an application with the Board of Standards and Appeals for approval of their device known as the Penn Overload Switch, Type 730, for oil burners; and

WHEREAS, this device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer was substantially as follows:

REPORT OF TEST.

Re. Cal. No. 640-38-SA.

Application of Penn Electric Switch Company

Approval of Penn Overload Switch Type 730 for Oil Burners.

Under date of July 19, 1938, Mr. Parcaro, for the Penn Electric Switch Co., filed an application with the Board of Standards and Appeals for approval of the device known as the Penn Overload Switch Type 730 (for oil burners).

This device is a trip free by-metal motor overload protective device enclosed in a bakelite case. This device has been approved by the Underwriters Laboratories Guide No. 184 N.B. 90 File E 5368 C.

It is recommended that the Penn Overload Switch Type 730 be approved for voluntary equipment with Oil Burner installations installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals, on condition that the device bear a label permanently attached reading, "Approved by Board of Standards and Appeals, Cal. No. 640-38-SA."

LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Penn Overload Switch, Type 730, for use as recommended in the above report, when installed, operated and labelled in accordance with said report.

679-38-SA.

APPLICANT—General Gas Light Company, owner.

SUBJECT—Humphrey Gas Unit Heater.—Models 60, 65, 85, 100, 125 and 200, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of board, subject to limitations set forth therein.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(679-38-SA)

WHEREAS, the General Gas Light Company, owner, filed July 29, 1938, an application with the Board of Standards and Appeals for approval of the device known as Humphrey Gas Unit Heater, Models 60, 65, 85, 100, 125 and 200; and

WHEREAS, this device was submitted to the engineer of the board for investigation and report; and

WHEREAS, the report of the engineer of the board was substantially as follows:

REPORT OF TEST

Re.: Cal. No. 679-38-SA

Application of General Gas Light Co.

Approval of the Humphrey Gas Unit Heater, Models 60, 65. 85, 100, 125 and 200.

The Humphrey Gas Unit Heater, Models 60, 65, 85, 100, 125 and 200 for use in storage and non-storage garages and aeroplane hangars, is an electrically operated gas fired unit heater, designed for space heating. It is intended to be suspended from the ceiling or between uprights with a safe distance maintained between heated parts and adjacent combustible material. When this heater is intended for installation in areoplane hangars, garages and other hazardous occupancies, the combustion chamber is entirely enclosed and is located in the lower portion of the heater and the apertures in the combustion chamber are protected by a wire gauze. Air for combustion is taken through a series of openings in the sides of a housing enclosing the bottom of the combustion chamber. From the combustion chamber the heated products of combustion enter and pass through a series of vertical radiator

tubes on their way to the flue outlet located at the top of the heater. An electric motor-driven fan mounted at the back of the heater forces air between and around the radiating tubes. The heated air is then forced from the front of the heater into the room. Adjustment of the louvres at the front of the device permits the air to be deflected in the desired direction.

To operate the device the main shut-off valve installed in the gas line is opened. The automatic gas pilot light valve is then opened and the pilot light located within the combustion chamber is lighted by electric spark ignition. After lighting pilot motor starting switch is closed. When the electric motor-operated fan is started, the air pressure closes a sail type of mercury tube switch to be held in the "in' position approximately 5 minutes are required before the by-metallic element of the automatic pilot has expanded sufficiently to permit the push rod of the pilot to be placed in the "on" position manually. This action closes the electric circuit between the automatic pilot and an electric gas valve, mounted in the gas line at the back of the heater. As a result the electric gas valve opens. Gas is then discharged into the gas burners and is ignited by the pilot light. In case the automatic pilot goes out the by-metallic element cools and contracts. This action forces the push rod outward and opens the electric circuit closing the gas valve.

The device has been approved by the Underwriters laboratories Misc. Hazard. No. 2319—Application No. 31 C 1950 and Models No. 60, 100 and 200 have been approved by the Fire Department on report dated August 13, 1931. Certificate of approval 684. The models 65, 85, 125 are simply sizes intermediate between those approved, the number representing BTU input capacity in thousands.

It is recommended that the Humphrey Gas Unit Heater Models No. 60, 65, 85, 100, 125 and 200 be approved for use in storage and non-storage garages, motor vehicle repair shops, airplane hangars and similar occupancies including rooms in which inflammable vapors are present and including spray rooms even though the requirements of paint spraying rules do not include such use, for general use in all commercial occupancies, on condition that the unit be placed so that the bottom of the heater is placed at least 8 ft. above the floor level, located at or above the grade of the curb or roadway if there is no curb and at least 2 ft. from any combustible material, and that the device have a label permanently affixed thereto reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 679-38-SA."

LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Humphrey Gas Unit Heater, Models 60, 65, 85, 100, 125 and 200 for use as recommended in the above report, when installed, operated and labelled in accordance with said report.

683-38-SA.

APPLICANT—Surface Combustion Corporation, owner.

SUBJECT—Janitrol Gas Unit Heater, Models UG 60-37, UG 85-37, UG 100-37, UG 125-37, UG 160-37, UG 200-37, UG 400, CG 60-37, CG 85-37, CG 100-37, CG 125-37, CG 160-37, CG 200-37, CG 400, M 2000, M 3000, M 4000, D 4000, UG 60-35, UG 125-35, UG 200-35, CG 10-34 and CG 8-34, approval of.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of board, subject to limitations set forth therein.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—
(683-38-SA)

WHEREAS, the Surface Combustion Corporation, owner, filed August 1, 1938, an application with the Board of Standards and Appeals for approval of their device known as the Janitrol Gas Unit Heater, Models UG 60-37, UG 85-37, UG 100-37, UG 125-37, UG 160-37, UG 200-37, UG 400, CG 60-37, CG 85-37, CG 100-37, CG 125-37, CG 160-37, CG 200-37, CG 400, M 2000, M3000, M 4000, D 4000, UG 60-35, UG 125-35, UG 200-35, CG 10-34 and CG 8-34; and

WHEREAS, this device was submitted to the engineer of the board for investigation and report; and

WHEREAS, the report of the engineer of the board was as follows:

REPORT OF TEST

Cal. No. 683-38-SA
Application of the Surface Combustion Corp.,
Approval of the Janitrol Gas Unit Heater.

Under date of August 1, 1938, the Surface Combustion Co. filed with the Board of Standards and Appeals for approval their device known as the Janitrol Gas Unit Heater. This is an electrically operated gas fired unit heater designed for general space heating and in all cases is to be suspended from the ceiling or other suitable support. The heaters are provided with a flue of proper construction to carry away the products of combustion.

The burner compartment is entirely enclosed and the heated products of combustion enter a series of radiating tubes on their way to the flue. An electric motor drum blower mounted at the rear of the heater forces air through and around the radiating tubes. The heated air is then forced from the discharge hood at the front of the heater into the room. The flue opening of the heater may be at the top or at the back.

To operate the heater the gas shut-off valve which is installed in the gas piping mounted on the device is opened. The gas pilot cock is opened at the same time. This permits gas to enter into the safety gas pilot, the burner of which is located within the combustion chamber. After the pilot light is ignited, the motor switch which is located at some convenient point is closed and the blower is operated. Ordinarily, the safety pilot is adjusted to function within 3 minutes. Through an expanding element an electrical contact switch in the assembly of the gas pilot which is wired to an electric gas valve mounted in the piping of the heater causes the electric valve to open, gas is then discharged into the gas piping and it is ignited at the burners by the pilot light. In case the pilot light goes out, the expanding element cools and opens the contact switch. This in turn opens the electrical circuit and causes the electric gas valve to close. This shuts off the flow of gas to the burners.

There are two types of this heater:

Series U and Series C, which are identical except that the combustion chamber heating tubes and flue connection are of chrome steel alloy in Series U and of ingot iron in Series C. This type is used for general installations.

All types are for use in airplane hangers, storage and non-storage garages and similar occupancies and are equipped with a manifold enclosing all openings in the heater leading directly into the combustion chamber and has an air duct for drawing air for combustion from the outside of the building.

This device has been approved by the Underwriters' Laboratories Misc. Hazard No. 2319 Appl. No. 31 C

1950 report dated August 13, 1931 and the large and small models approved by the Fire Commissioner January 30, 1932, Certificate of Approval No. 695.

It is recommended that the Janitrol Gas Unit Heater, Models UG 60-37, UG 85-37, UG 100-37, UG 125-37, UG 160-37, UG 200-37, UG 400, CG 60-37, CG 85-37, CG 100-37, CG 125-37, CG 160-37, CG 200-37, CG 400, M 2000, M 3000, M 4000, D 4000, UG 60-35, UG 125-35, UG 200-35, CG 10-34 and CG 8-34 (the numbers represent existing B.T.U. input capacity in thousands), be approved for use in airplane hangers, storage and non-storage garages, motor vehicle repair shops and similar occupancies, including rooms in which inflammable vapors are present and including spray rooms, even though the requirements of the paint spraying rules do not include such use, on condition that the unit is placed so that the bottom of the heater is at least 8 ft. above floor level located at or above the grade of the curb or roadway if there is no curb, and at least 2 ft. from any combustible material, and that the device have a label permanently affixed thereto reading "Approved by the Board of Standards and Appeals for use in New York City, Cal. No. 683-38-SA."

LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Janitrol Gas Unit Heater, Models UG 60-37, UG 85-37, UG 100-37, UG 125-37, UG 160-37, UG 200-37, UG 400, CG 60-37, CG 85-37, CG 100-37, CG 125-37, CG 160-37, CG 200-37, CG 400, M 2000, M 3000, M 4000, D 4000, UG 60-35, UG 125-35, UG 200-35, CG 10-34 and CG 8-34, for use as recommended in the above report, when installed, operated and labelled in accordance with said report.

MATERIALS SUBMITTED FOR APPROVAL

777-38-SM.

APPLICANT—The Barrett Company, owner.

SUBJECT—Barrett Mineral Surfaced Roofings—approval of.

APPEARANCES—

For Applicant: J. C. Kratoville.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(777-38-SM)

WHEREAS, the Barrett Company, owner, filed September 9, 1938, an application with the Board of Standards and Appeals for approval of the material known as Barrett Mineral Surfaced Roofings (for general roof covering); and

WHEREAS, this material was submitted to a committee of the board for test and report; and

WHEREAS, the report of the committee of the board was as follows:

REPORT OF COMMITTEE ON TESTS

September 15, 1938

Re: Cal. No. 777-38-SM.

Subject: Barrett Mineral Surfaced Roofings.

The Barrett Co., of New York City, filed with the board, a request for the approval of their mineral surfaced roofings, as hereinafter described, for approval under tests specified in C-26-680 AC. (10.12.11) BC. and group 16, art. 11 AC. (10.1.16) BC. This mineral surfaced roofing is manufactured at Philadelphia, Pa., and Edgewater, N. J. Brand tests were conducted on these roofings on June 9, 1937 at Columbia University, New York City, Report No. 2455 (filed herewith), with results as follows:

MINERAL SURFACED ROOFING

Test No. 1—Specification M. S. 90 lb. Mineral Surfaced Roofing over 1 in. wood sheathing cemented with Barrett Bituminous Cement. The nailing was spaced approximately 3 in. apart along selvage, the cement applied along 2 in. of the selvage lap.

The brand was completely consumed in 40 minutes and affected an area approximately 10 x 9½ inches, with charring of the wood deck to a depth of ⅛ inch. A photograph of this test is filed in the Columbia Report.

Similar roofings of mineral surfaced material of heavier construction are also manufactured by the applicant, with specifications as follows:

RE-ROOFING

Specification M. S. R.R.

90 lb. mineral surfaced roofing laid in Barrett Bituminous Cement over old composition roof covering.

NEW ROOFS AND RE-ROOFING

Specification M.S. No. 124.

90 lb. mineral surfaced roofing over one layer of 24 lb. Barrett Saturated Rag Felt and a coating of Barrett Bituminous Cement.

Specification M.S. No. 130.

The same as M.S. No. 124, except with one layer of 30 lb. Barrett Saturated Rag Felt.

Specification M.S. No. 214.

The same as M.S. No. 124, except with two layers of 14 lb. Barrett Saturated Rag Felt.

Specification M.S. No. 215.

The same as M.S. No. 214, except with two layers of 15 lb. Barrett Saturated Rag Felt.

Specification M.S. No. 314.

The same as M.S. No. 214, except with three layers of 14 lb. Barrett Saturated Rag Felt and two coatings of Barrett Bituminous Cement.

Specification M.S. No. 315.

The same as M.S. No. 314, except with three layers of 15 lb. Barrett Saturated Rag Felt and two coatings of Barrett Bituminous Cement.

On the basis of the test on Specification M.S., approval of the Barrett Mineral Surfaced Roofings, as herein specified, is recommended on condition that Specification M.S. be provided with at least one layer of 14 lb. Barrett Saturated Rag Felt over a coating of Barrett Bituminous Cement when used on new roofs, and to be known as "M.S. No. 114." Approval is recommended on the other foregoing specification, as described, and bearing the following specification numbers: M.S. RR, M.S. No. 124, M.S. No. 130, M.S. No. 214, M.S. No. 215, M.S. No. 314 and M.S. No. 315.

Test No. 2—Specification S.1.S.

Brand tests were conducted on this roofing by Columbia as follows:

NEW ROOFING

Specification S.1.S.

55 lb. Mineral Surfaced Roofing, having 17 in. selvage lap, so as to provide a double thickness construction over entire deck. The 17 in. selvage lap was coated with Barrett Bituminous Cement. The decking was nailed with two courses of nails applied to the selvage and spaced not over 12 in. apart.

The brand was completely consumed in 40 minutes and affected an area of 12 sq. in. with a deck charring of ⅛ in. depth. A photograph of this test is filed in the Columnia Report.

Similar roofings of mineral surfaced material of heavier construction are also manufactured by the applicant, with specifications as follows:

RE-ROOFING

Specification S.1.S. RR.

Same as S.1.S. excepting laid in Barrett Bituminous Cement over existing roof construction.

MINUTES

NEW ROOFS AND RE-ROOFING

Specification S.1.S. No. 124.

Same as S.1.S. laid over one layer of 24 lb. Barrett Saturated Rag Felt and a coating of Barrett Bituminous Cement.

Specification S.1.S. No. 130.

Same as S.1.S. No 124, excepting laid over one layer of 30 lb. Barrett Saturated Rag Felt and a coating of Barrett Bituminous Cement.

Specification S.1.S. No. 214.

Same as S.1.S. No. 130, except with two layers of 14 lb. Barrett Saturated Rag Felt.

Specification S.1.S. No. 215.

Same as S.1.S. No. 214, except with two layers of 15 lb. Barrett Saturated Rag Felt.

On the basis of the test on Specification S.1.S., approval of the Barrett Mineral Surfaced Roofings of the S.1.S. group as herein described is recommended, on condition, that the specification bearing the number S.1.S. be provided with at least one layer of 14 lb. Barrett Saturated Rag Felt when used on new roofs, and to be known as "S.1.S. No. 114. Approval is recommended on Specifications S.1.S. No. 124, S1.S. No. 130, S.1.S. No. 214, S.1.S. No. 215, and S.1.S. RR.

The approval of these roofiings is recommended as meeting the requirements of C-26-680 AC. (10.12.11) BC. and GROUP 16, art. 11 AC. (10.1.16) BC. for use as a roofing material under the specifications listed herein and under such limitations as specified, and limited to an incline of not over 9 inches per horizontal foot. It is also recommended that the material when used in New York City shall have each package or roll marked or labelled, "Approved by the Board of Standards and Appeals Cal. No. 777-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Barrett Mineral Surfaced Roofing (for general roof covering), when fabricated, installed and labelled in accordance with the above report, and nothing herein shall preclude the use of *additional* plies of Barrett Saturated Rag Felt, provided that the total weight of the plies used *shall be more* than that approved for any specification listed herein.

778-38-SM.

APPLICANT—The Barrett Company, owner.

SUBJECT—Barrett Specification Tarred Felt and Pitch Built up Roofing—(for general roof construction) —approval of.

APPEARANCES—

For Applicant: J. C. Kratoville.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(778-38-SM)

WHEREAS, The Barrett Company, owner, filed September 9, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Barrett Specification Tarred Felt and Pitch Built-up Roofing (for general roof covering); and

WHEREAS, this material was submitted to the committee of the board for test and report; and

WHEREAS, the report of the committee was as follows:

REPORT OF COMMITTEE ON TESTS

Re.: Cal. No. 778-38-SM.
Subject: Barrett Built-up Roofing.

September 15, 1938.

The Barrett Co. of New York City filed with the board, a request for the approval of their Built-up Roofing as hereinafter described for approval under Group 16 Fire Tests of Roof Coverings A. C. (10.1.16 B. C.) This Barrett Built-up Roofing is manufactured in Philadelphia, Pa., and Edgewater, N. J. A brand test of this material was conducted on December 31, 1935 at Columbia University in New Cork City, Report No. 2414 (filed herewith) with results as follows:

TEST ON "BARRETT SPECIFICATION TYPE AA BUILT-UP ROOFING"

The specimen tested consisted of a combustible deck over which were applied 5 layers of Barrett Specification Felt, with 3 moppings (25 lbs. per mopping) Barrett Specification Pitch, and 3 lbs. of roofing slag embedded in each square foot of deck area in a coating of Barrett Specification Pitch (75 lbs. per 100 sq. ft.).

The brand was completely consumed in 16 min. 30 sec. with no effect on the decking and no effect on the 5 layers of Barrett Specification Felt. There was no appreciable rise in the temperature of the combustible decking throughout this test of "Barrett Specification type AA Built-up Roofing."

On the basis of this test, approval is recommended as meeting the requirements of Group 16 Fire Tests of Roof Coverings A.C. (10.1.16 B.C.), when used with either 3 lbs. of slag or in lieu thereof, 4 lbs. of graded gravel (screened ¼ to ⅝) per square foot of roofing, and embedded in a coating of pitch, as herein described. Also, where promenades are provided over this roofing, the roofing shall be protected by either quarry slate or ceramic tile not less than 6 in. x 6 in. x ¼ in. firmly embedded in pitch, bituminous cement, or Portland cement mortar; in lieu of the slag or gravel surfacing. Whenever used, this roofing shall be limited to inclines not exceeding 3 inches per horizontal foot. It is also recommended that the material, when used in New York City, shall have each package or roll marked or labelled "Approved by the Board of Standards and Appeals, Cal. No. 778-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Barrett Specification Tarred Felt and Pitch Built-up Roofing (for general roof covering), when fabricated, installed and labelled in accordance with the above report.

Adjourned, 5:00 P.M.

EDWARD V. BARTON, Chief Clerk.

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, November 10, 1936, as they appeared in Bulletin No. 46, Vol. XXI, are hereby corrected to read as follows:

THE RESOLUTION—

(337-35-A)

WHEREAS, Otto J. Sambach, for Great Eastern Coal Co., Inc., owner, filed November 15, 1935, an appeal from an order of the fire commissioner, affecting premises 1739-1751 Hart place, south side, 287 ft. 7¾ in. west of Cropsey avenue (Block No. 6993, Lot 20, and Block 6994, Lot No. 27), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated October 30, 1935, re Order No. 66979-LC, reads:

"You are hereby notified that an inspection of the above premises used for storage of fuel oil shows that the following must be done before the permit requested by you can be issued.

No. 2. Remove all oil from two (2) 4500 gallon vertical tanks nearest dock; discontinue the further storage of oil in said tanks; close and seal inlet of said tanks for the reason that tanks were installed without plans being approved and installation of said tanks made without test and supervision of the fire department.

Please notify this department promptly when this order has been complied with. It is unlawful for you to store oil without a permit."

and

WHEREAS, the premises consist of an office, scales, four (4) reinforced concrete coal silos, twelve large steel tanks of various capacities and pump house; bounded on the northwest and southwest by Coney Island Creek, 100 ft. by 142 ft. 10 in. in area; OCCUPIED: as an oil storage plant, located within an unrestricted district; and

WHEREAS, this appeal was withdrawn January 14, 1936; and

WHEREAS, applicant requested a reopening of the case stating that a foamite system had been installed; and

WHEREAS, this case was reopened by vote of the board; and

WHEREAS, from report of Division of Combustibles, Fire Department, Brooklyn, the two tanks in question were tested for two minutes, 35 lb. pressure, as well as piping thereto, and found to be O. K.

Resolved, that the order of the fire commissioner No. 66979-LC be and it hereby is *modified*, and the appeal be and it hereby is *granted* to permit the use of two (2) existing 4500-gallon vertical storage tanks, located adjacent to the bulkhead, as indicated on plans filed with this appeal marked "Received November 15, 1935' *on condition* that these tanks shall be used for storage of fuel only and shall be subject to and fulfill the requirements of the Oil Burner Rules (Rule 10, Section 3), prescribing the test requirements; and that all other oil storage equipment shall be maintained in accordance with legal permits duly issued therefor.

*Correction—The words *"the duly approved plans"* omitted and the words *"legal permits* duly issued therefor" inserted in lines 50 and 51 of resolution.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, August 16, 1938, as they appeared in Bulletin No. 38, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(439-38-A)

WHEREAS, D. A. Collins Mfg. Co., Inc., lessee, filed June 1, 1938, an appeal from an order of the fire commissioner, affecting premises 148 39th street (Bush Building No. 19—4th floor), southwest corner of 2nd avenue (Block No. 706, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, filed May 2, 1938, re. Order No. 75193-C, reads:

"1. Surrender to the bearer Fire Department Permit No. 182115, expiring June 1, 1938, authorizing the storage and use of varnoline, essential oils, etc., in the manufacture of combustible and inflammable mixtures, at 146-148 39th street, Brooklyn, as it is revoked for the reason that a recent inspection of the premises shows that the containers (bottles) in use for the "Parkay-Lac" and Liquid Polishing Wax are of 16 ounce and 32 ounce size. This is a violation of C-19-59-c of the Administrative Code, which reads as follows:

'Inflammable mixture (Parkay-Lac) for commercial or business use in the city shall be packed and shipped in cans of a capacity not exceeding 5 gallons each, or steel barrels or drums of a capacity not exceeding 55 gallons each. For shipment outside of the city, containers must conform to the regulations of the Interstate Commerce Commission. For domestic or household use or for sale for domestic or household use such mixtures shall be put in glass bottles of a capacity not exceeding four ounces each, or in metal cans or other approved containers of a capacity not exceeding one gallon each, fitted with a tight fitting, replaceable top, cap or other device so made that the can or container will be air-tight when closed.'

3. Combustible Mixtures (Liquid Polishing Wax) for commercial or business use in the city shall be packed and shipped in cans of a capacity not exceeding 5 gallons each, or steel barrels or drums of a capacity not exceeding 55 gallons each. For shipment outside the city containers must conform to the regulations of the Interstate Commerce Commission. For domestic or household use or for sale for domestic or household use such mixture shall be put up only in glass bottles of a capacity not exceeding 8 ounces each, or in cans of a capacity not exceeding 2 gallons each, fitted with a tight fitting replaceable top, cap or other device so made that the can or container shall be air tight when closed.

4. You are, therefore, ordered to discontinue the practice of distributing inflammable mixture (Parkay-Lac) in bottles of 16 ounce and 32 ounce capacity and confine the distribution of said inflammable mixture to glass bottles of 4 ounce capacity or metal cans or other approved containers of a capacity not exceeding one gallon each, fitted with a tight fitting replaceable cap or other device so made that the can or container shall be air tight when closed.

5. Discontinue the practice of distributing combustible mixture (Liquid Polishing Wax) in bottles of 16 ounce and 32 ounce capacity and confine the distribution of said combustible mixture to glass bottles of 8 ounce capacity or in cans of a capacity not exceeding 2 gallons each, fitted with a tight replaceable top, cap or other device so made that the can or container shall be air tight when closed."

and

WHEREAS, the building is 8 stories, 110 ft. in height, 218 ft. by 440 ft. in area, located in an unrestricted use district, of non-fireproof construction, erected in 1912 and occupied as follows: 1st floor—manufacturing chewing gum and candy, 25 persons; 2nd floor—manufacturing chewing gum and candy, 20 persons; 3rd floor—warehouse, 0 persons; 4th floor—manufacturing furniture polishes and waxes, 38 persons, and manufacturing toilet preparations, 15 persons; talcum powder, 5 persons; 5th floor—warehouse, 6 to 30 persons; 6th floor—manufacturing chewing gum and candy, 175 persons; 7th floor—coffee packing, 35 persons; 8th floor—coffee roasting, 30 persons; and

WHEREAS, the applicant contends that for many years they have manufactured a Liquid Polishing Wax and Parkay-Lac, made of shellac, gum and alcohol, in cans and in bottles not exceeding thirty-two ounces, as described in the order; that these products are substantially the same as products manufactured and distributed by the applicant's competitors within the City of New York and elsewhere in one gallon cans and in bottles not exceeding thirty-two ounces; that in order to meet the requirements of the trade and competition, it is essential that the applicant be permitted to continue manufacturing and distributing said products in their present form.

WHEREAS, the appeal was granted by the Board, June 14, 1938, on certain conditions and applicant requested an amendment of the Resolution.

Resolved, that the order of the fire commissioner, No. 75193-C, be and it hereby is *modified,* and that the appeal be and it hereby is *granted,* permitting the manufacture of "Parkay-Lac" and "Liquid Polishing Wax," *on condition* that all packages shall be properly labeled inflammable mixtures with the Fire Department permit number; that these preparations shall consist mainly of shellac, gum and alcohol and permitting the packaging of these products in one gallon cans and 16 oz. and 32 oz. bottles; *that all packages shall be properly labeled "inflammable mixtures" or "combustible mixture" as determined by the Fire Department after test and that the Fire Department permit number shall appear thereon;* that in all other respects all laws, rules and regulations shall be complied with.

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*Correction—The word *"incombustible"* changed to *"combustible"* in the fourth line from the end of the resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, August 16, 1938, as they appeared in Bulletin No. 38, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(697-38-S)

WHEREAS, Joseph J. Furman for Wm. W. Fuller Estate, owner, filed July 29, 1938, an application with the Board of Standards and Appeals for a variation from the requirements of the Labor Law affecting the premises 576-578 Fifth avenue, southwest corner West 47th street (Block No. 1262, Lot No. 41), Borough of Manhattan, and

WHEREAS, the decision of the fire commissioner dated July 6, 1938, reads:

"In reply to your request to dismiss Order 36660 LD, issued against the above premises and requiring a fire drill to be conducted at least once a month. You are advised that our latest inspection shows 133 persons in the building, of which 20 persons are employed at factory work. Inspection shows at least five factory tenants employing at least one tenth of all the persons in the building at factory work.

This tenant factory occupancy within the meaning of Article 1, Section 10 of the State Labor Law defines the building as a "factory building."

Section 279 of the Labor Law requires a Fire Drill to be conducted in every "factory building" over two stories in height in which more than 25 persons are employed above the ground floor. All of the occupants of the building must participate, as the inspection shows more than 25 persons above the ground floor in a non-sprinklered factory building.

Your request to rescind the order must be denied."

and

WHEREAS, the building is fireproof, 11 stories and pent house in height, 55 feet, 11 inches in area, occupied, offices, showrooms, dental laboratory, with some factory occupancy, not more than 35 persons per story; and

WHEREAS, Order No. 36660 LD was originally issued by commissioner of buildings, August 3, 1937, but by provisions of the charter is now an order of the fire commissioner and said order require a "fire drill."

WHEREAS, in the opinion of the board, the building under appeal is not a factory building, in view of there being not more than 25 persons at work and that the order and decision of the fire commissioner be and it hereby is modified and the appeal be and it hereby is granted.

Resolved, that the order and decision of the fire commissioner be and they hereby are *modified* and that the appeal be and it hereby is *granted.*

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*Correction—The numbers "35" changed to "25" in line 39 of resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, September 13, 1938, as they appeared in Bulletin No. 38, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(665-38-A)

WHEREAS, James J. Millman, for Louis Lebow, lessee, filed July 25, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises 51 Neptune avenue and 2804-14 Holmes street, northwest corner (Block No. 7251, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on Application No. 18611-37, issued July 22, 1938, reads as follows:

"Obj. 3 Pending. Increase of occupancy in frame dwelling on west. Sec. 56. Not further considered."

and

WHEREAS, the building is 3 stories, 35 ft. in height, 2 by 77 ft. in area of frame construction, located in a business use district, erected in 1904 and occupied since 1920 Cellar—ordinary use; 1st floor—1 family; 2nd floor—families; 3rd floor—2 families; and

WHEREAS, the applicant contends that the building was erected in 1904 as a 4 family house under New Buildin 13007-1904; there are 7 rooms on the first floor and 8 room on each of the upper floors; that prior to the enactmen of the multiple dwelling law, the building was altered b installing bath room and kitchen facilities in addition the existing ones. Apartments on the 2nd and 3rd floo were divided and the size of each apartment was decreas and the number of apartments was thus increased to that this is substantiated by 3 affidavits filed with th building department as to Application No. 116-37, and le ters from the Brooklyn Borough Gas Company and Broo lyn Edison Company; that this proof entitled the owne to a certificate of occupancy for 5 families in accordan with section 56; and

WHEREAS, under the tenement house law under whi the building was constructed in 1904, section 31 restrict the construction of a frame tenement house to three stori in height and not more than one family on any floor three families in all; and

WHEREAS, it appears that additional apartments ha been added without legal approval in view of which the is no basis under section 56 of the multiple dwelling l to legalize a condition illegally established.

Resolved, that the decision of the borough superintende on Application 18611-37 be and it hereby is *affirmed* a the appeal be and it hereby is *denied.*

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*Correction—The word "basin" changed to "basis" line 40 of resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standa and Appeals held Tuesday, September 13, 1938, as they

peared in Bulletin No. 38, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(773-38-A)

WHEREAS, Van Wart & Ackerman for Jacob Ruppert, owner, filed September 7, 1938, an appeal from an order and a decision of the fire commissioner affecting premises 1601-1607 Third avenue, northeast corner of East 90th street (Block No. 1536, Lot. No. 1), Borough of Manhattan; and

WHEREAS, Order No. 442-LF, issued by the fire commissioner May 11, 1938, reads as follows:

"1—Install an approved standpipe system in accordance with the rules of the Board of Standards and Appeals. Art. 17, Ch. 26, Adm. Code."

and

WHEREAS, this order was repeated in the action of the fire commissioner, dated September 2, 1938, filed with this appeal, and

WHEREAS, the building is 3 stories, 47 ft. 11 in. in height, 100 by 200 ft. in area, of fireproof construction, except for the roof, which is wood, located partly in a business use and partly in an unrestricted use district, erected in 1905 and 1908 and occupied: Cellar—beer storage and shipping, 20 persons; 1st floor—bottle filling, 80 persons; 2nd floor—bottle labelling, 80 persons; 3rd floor—bottling, wood and metal case storage, 15 persons, for which no certificate of occupancy has been issued, and

WHEREAS, the applicant contends that the practical and proper installation of a standpipe system in these premises is not wholly possible due to the building's interior layout, stair arrangement and machinery and equipment layout; that the building is divided on the 1st and 2nd floors by a brick wall, running the full depth of the building; that the process of work in this building viz., the soaking and washing and filling of beer bottles is such as to keep most parts of the premises in a moist condition, ¾ in. hose flushing outlets exist on all floors as indicated on plans and 25 ft. to 50 ft. of hose at each outlet; that other than for a limited number of wooden bottle cases stored on the topmost story and a few days supply of paper labels, all products handled in these premises are of non-inflammable character and there is no hazardous use in any portion; that there is no boiler nor engine room; that it is proposed to install one 2½ gallon extinguisher for each 500 sq. ft. of floor area and one 40-gallon portable chemical fire extinguisher for each 10,000 sq. ft. of floor area:

Resolved, that the order of the fire commissioner, No. 442-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the hose flushing outlets shall be maintained on all floors, except the top floor, with 25 or 50 ft. of hose to each outlet as required; that such fire extinguishers shall be maintained as the fire commissioner shall direct, and *granted so long* as the premises shall be maintained to the satisfaction of the fire commissioner and so long as the present use and occupancy shall continue, and shall comply with all laws, rules and regulations applicable thereto.

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*Correction—The numbers "30" appearing in lines 21 and 22 of resolution, changed to "80" and "15 persons" inserted in line 23 of resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, September 13, 1938, as they appeared in Bulletin No. 38, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(133-38-A)

WHEREAS, Otto F. Semsch, for Ernest Flagg, owner, filed February 28, 1938, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 7202-7224 Ridge boulevard, west side, between 72nd and 73rd streets, 158-190 72nd street and 181-191 73rd street (Block No. 5906, Lot No. 1), Borough of Brooklyn, and

WHEREAS, the decision of the acting borough superintendent, dated April 20, 1938, re. Applic. No. 1402/38, reads;

"1 This application will not be considered until the questions involving various uses now subject of adjudication before the Courts and Board of Standards and Appeals are disposed of."

and

WHEREAS, the premises consist of a plot of ground 200 ft. by 460 ft. in area, upon which there is erected a series of 9 story Class A multiple dwellings and a swimming pool, all located in a residence use district; and

WHEREAS, the applicant contends that the swimming pool has been constructed in accordance with plans and applications filed with the Building Department and duly approved by it; that a certificate of occupancy was issued for the building and its accessories; that the swimming pool is an accessory and its use should be permitted as it would be a great hardship to be deprived of its use this coming spring; and

WHEREAS, this appeal was referred to a Committee of the Board, whose report recommended granting, provided the swimming pool was not operated as a business and was used by the tenants without charge; and

WHEREAS, *the request for an amendment to the report of the committee as to the barricading wall, which was suggested although not stipulated, was referred to the committee; and*

WHEREAS, *the committee has decided that its report as to such wall may be corrected to read "A proper barricading wall or anchor post wire fence covered with canvas or similar material and not less than 8 ft. high should be constructed continuously at the westerly end of the pool from building to building to shield this pool from the street and to minimize the objectionable features during the time the pool is being used."*

REPORT OF COMMITTEE

Re: Cal. No. 133-38-A.
Premises: 7202-7224 Ridge boulevard, 158-190 72nd street, 181-191 73rd street, Brooklyn.

June 27, 1938.

This is an appeal from the decision of the Borough Superintendent of Buildings who has refused to issue a certificate of occupancy for a swimming pool until the Board and the Courts have passed upon certain uses in the building. The board has considered these uses under Calendar No. 149-37-BZ, which is now subject to court review because of the Board's denial of the variance sought and under Calendar No. 530-37-BZ to be acted upon at the meeting of June 28, 1938. The description of the building and the surroundings are set forth in the reports of committee in these two applications.

The swimming pool is located in the Central inner court of the apartment house and was shown on the plans submitted to the department and approved. The only question that has been previously raised was at the time of the issuance of the certificate of occupancy No. 70436 on March 8, 1933. On that certificate there appears the notation "In Court is swimming Pool—not to be used." The committee understands that this notation was made because the pool was not completed at that time. A superseding certificate of occupancy and the one now in force No. 80093, issued November 17, 1936, after an alteration and extension of the building has no notation as to the swimming pool. It is understood that it was used after completion without being questioned as to its legality.

In the opinion of the committee it is not necessary that a separate certificate of occupancy should be issued for the swimming pool or that it should be included in the certificate of occupancy for the build-

MINUTES

ings. It is a part of the multiple dwelling as much as any other convenience or utility provided by the landlord for the comfort of the tenants consistent with the restrictive provisions of the zoning resolution. Many apartment houses have been provided with swimming pools for the use of tenants. Often these are constructed indoors instead of in an open court but in either case a swimming pool can be classed as a use customarily incident to a residential building of the type of Flagg Court which is a class A Multiple Dwelling. Its use, however, must not be as a business and must be for the use of the tenants only. The owner is not entitled to make a business out of its operation by charging fees for its use either directly or under guise of a club controlled by the owner.

This pool has a permit No. 415.415 issued by the Department of Health, July 7, 1936, and apparently still in force and upon the permit is the notation "Pool is for use of tenants only—no fee is charged."

This permit supersedes one issued on July 18, 1933.

The record indicates that the operation of this pool has become objectionable to adjoining owners, partly because of business activity that the owner has allowed to creep in and the operation of the pool itself. It appears that while an attempt has been made to control the users through membership in the Flagg Court Club, outsiders have not been denied use of the pool and that the pool has been used up to late hours causing unwarranted disturbance to adjoining property owners. A proper barricading wall *or anchor post wire fence covered with canvas or similar material not less than* 8 *ft. in height* should be constructed *continuously at the westerly end of pool from building to building* to shield this pool from the street and to minimize the objectionable features during the time the pool is being used. Neighboring owners are entitled to this proteetion and to be assured that if this pool is to be permitted as a usual accessory for the use of the tenants that the department will require it be operated under proper conditions. If the pool is not operated in accordance with the requirements so as to be unobjectionable within reason to surrounding owners, the Department having jurisdiction eould be justified in requiring its use discontinued.

The committee recommends that the application be granted in accordance with this report.

(Sgd.) HARRIS H. MURDOCK,
Chairman
CHARLES M. BLUM,
BERNARD A. SAVAGE,
PATRICK WALSH,
Committee

and

WHEREAS, this report recommended the granting of this appeal on certain conditions.

Resolved, that the decision of the Acting Superintendent of Buildings in acting on Application No. 1402-38, be and it hereby is it hereby is *modified* and the appeal be and it hereby is *granted* in accordance with the stipulations set forth in the report of the Committee of the Board.

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* Correction—The word "nor" changed to "was" in line 34 of resolution, the word "it" changed to "its" in line 36 of resolution, the word "which" changed to "such" in line 37 of resolution and "in." changed to "ft." in line 39 of resolution.

NOTICE

WARNING

Notiee is hereby given to all appellants and applicants, and to all lawyers, arehitects and engineers representing owners or lessees in proeeedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for laek of proseeution is likely to result.

Second, That due and ample notiee of the date set for hearing is provided in the publieation in this BULLETIN of the calendars of the board, eaeh case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignoranee of the date of the hearing ean be entertained in view of this publieation and of the posting of the calendars on the bulletin board in the offices of the board and of the further publication of the ealendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive sueh notiee is no excuse for negleet to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendaney of an appeal or application ties the hands of the administrative official in enforeing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applieant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be aceepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as speeified on the blank appeal or applieation forms.

Copies of the Official Direetory of the City of New York for the year 1938 (The Little Green Book), containing the latest authentie information in relation to City, State and Federal Departments, Bureaus, Offiees and Courts, are now on sale at the Distribution Division of the City Reeord Offiee, Room 2213, Munieipal Building Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Offiee, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Eseapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Munieipal Building, Manhattan. Price 10c; by mail 12c.

There is now on display in one of the rooms in this Board a set of seven maps of the City of New York, covering the real property inventory report, prepared by the Mayor's Committee on City Planning. If interested these maps may be seen any week day and up to 12 o'clock on Saturdays.

RULES

EXTRACTS FROM CHAPTER 19, ARTICLE 18 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

ARTICLE 1.
General Provisions.

§C19-2.0. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

34. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condensor, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third (3⅓), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

(v) Public buildings, commercial buildings and residence buildings are buildings as so defined by Article 4, §26-235.0 of the Administrative Code of the City of New York.

(a) **Public Buildings.** Public buildings are structures or parts of structures in which persons congregate for civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, club houses with more than five sleeping rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

(b) **Residence Buildings.** Residence buildings are structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including multiple dwellings as defined in the Multiple Dwelling Law.

(c) **Commercial Buildings.** Commercial buildings are structures or parts of structures, which are not public buildings or residence buildings, including among others, office buildings, factory buildings, salesrooms (stores), markets, restaurants, warehouses, freight depots, car barns, stables, garages, motor vehicle repair shops, factories, laboratories, smoke houses, grain elevators, coal pockets, central station power plants and electric sub-stations.

ARTICLE 3.
Bonds and Fees.

§C19-24.0. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:

Class A systems	$20.00
Class B systems	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant	1.00

ARTICLE 18.
Refrigerating Systems.

C19- 96.0. Permits.
C26-214.0. Supervision.
C19- 97.0. Classification.
C19- 98.0. Permissible locations.
C19- 99.0. Refrigerating machinery rooms and ventilation.
C19-100.0. Open flames and electrical equipment.
C19-101.0. Testing.
C19-102.0. Piping.
C19-103.0. Safety devices.
C19-104.0. Size of safety devices.
C19-105.0. Location and discharge of safety devices.
C19-106.0. Operating precautions.
C19-107.0. Equipment diagrams.

§C19-96.0. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 also dichlorotetrafluoroethane ("F-114") $C_2Cl_2F_4$ and monofluorotrichloromethane ("F-11" $CFCl_3$ are non-flammable and non-irritant, unless otherwise hereinafter provided, and shall be regulated in accordance with the provisions of Article 18 of Chapter 10 of the Code of Ordinances, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11; F-12 or F-114 are restricted to parts of a building so specified in Section 219 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11; F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section 219 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11; F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11; F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as herinafter required in Paragraph 8.

6. That refrigerating systems employing F-11; F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11; F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11; F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That each refrigerating machinery room in any building in which F-11; F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section 220-1-(a).

10. That each refrigerating machinery room in which F-11; F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section 220-(2) a-b-c and d.

11. Tests pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section 222 (a) as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One ½ inch
30 to 60 "	One ¾ "
60 to 100 "	One 1 "
100 to 175 "	One 1¼ inches
175 to 250 "	One 1½ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section 227-3 (e) for other refrigerants.

14. That all other sections or parts of Article 18 of the Refrigerating Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§C26-214.0. Refrigeration System Operators; Certificate of Qualification.

(a) It shall be unlawful to maintain or operate in any building any refrigerating system containing more than fifty (50) pounds of refrigerant except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system. Where the system contains two hundred (200) pounds or less of refrigerant and is fully automatic, only one qualified operator will be required.

(b) It shall be unlawful to maintain or operate in a public building or exhibition hall any Class C system permitted for exhibition or demonstration purposes except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee $5, and for renewal thereof the sum of $1 provided application for such renewal be made for within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the superintendent.

§C19-97.0. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and more the amount provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

RULES

§C19-98.0. Permissible Locations.

(a) It shall be unlawful to install any Class A or Class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building provided a non-irritant and non-flammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(c) It shall be unlawful to use brine in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) It shall be unlawful to install or maintain a Class A system using ammonia in any building above the first floor level unless such building is used exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) It shall be unlawful to install or maintain a refrigerating system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits or auditoriums of any building;
2. Dance halls, court rooms, police stations, jails, subways, theatres, or motion picture theatres;
3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;
4. Rooms opening directly into a subway, or theatre, or motion picture theatre, or where persons are detained or confined;
5. A school unless the refrigerating system is used exclusively for instructions or research purposes;
6. A hospital or asylum in which persons are confined or given medical treatment or helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction.

The foregoing provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydrocarbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8″) of brick or six inches (6″) of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof doors.

§C19-99.0. Refrigerating Machinery Rooms and Ventilation.

a. Refrigerating machinery rooms.

1. All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and shall be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumbwaiter shafts the door openings of which are protected with self-closing fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.

2. In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

b. Ventilation.

1. Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.

2. When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in subdivision 4 shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in column E of such table.

3. When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in column B of the table in subdivision 4. The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of such table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

4.

	Pounds of Refrigerant in System.	Mechanical Cu. Ft. per Minute Discharge.	Window Area in Sq. Ft. Mechanical Sq. Ft. Duct Area.	Window Area in Sq. Ft. for each Opposite Side.	Window Area in Sq. Ft. for One Side Only.
	A	B	C	D	E
Up to ...	20	150	1/4	1	6
	50	250	1/3	1 1/2	12
	100	400	1/2	2	16
	150	550	2/3	2 1/2	19
	200	680	2/3	3	25
	250	800	1	3 1/2	29
	300	900	1	4	32
	400	1,100	1 1/4	4 1/2	38
	500	1,275	1 1/4	5	42

600	1,450	1 1/2	6	45
700	1,630	1 1/2	6 1/2	48
800	1,800	2	7	51
900	1,950	2	7 1/2	55
1,000	2,050	2	8	59
1,250	2,350	2 1/4	9	68
1,500	2,800	2 1/2	11	78
1,750	3,150	3	12 1/2	87
2,000	3,500	3 1/2	14	95
2,500	4,150	4	16	113
3,000	4,500	4 1/2	18	130
4,000	6,000	6	24	167
5,000	7,500	7 1/2	30	204
6,000	9,000	9	36	241
7,000	10,500	10 1/2	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,500	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

5. Where a non-irritant or nonflammable refrigerant is employed, the requirements as given in the table in subdivision 4 may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

6. In lieu of mechanical means of ventilation in refrigerating machinery rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch (¼") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a ¾-inch pipe; five heads on a 1-inch pipe; six heads on a 1¼-inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated and easily accessible, and shall be labeled and located outside of the refrigerating machinery room.

§C19-100.0. Open Flames and Electrical Equipment.

a. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

b. Electrical equipment.

1. All Class A and B refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

2. Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§C19-101.0. Testing.

Every part of any refrigerating system, except pressure gauges and control mechanism shall be tested to at least the following pressures: Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant.	Col. 1. High Pressure Side.	Col. 2. Low Pressure Side. With Safety Valves.	Col. 3. Low Pressure Side. Without Safety Valves.
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§C19-102.0. Piping.

a. Piping.

1. All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

2. The arrangement of stop valves, relief devices, and other similar devices, when used shall be as shown on the diagram for Class A and B systems in section C19-107.0 of the code.

3. Every system which may be charged after installation shall have the charging connection located on its low pressure side.

b. Gauge glasses.

Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§C19-103.0. Safety Devices.

a. Construction and setting.

1. Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure from exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section C19-101.0 of the code, columns 1 and 2 of table.)

2. Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

b. Use of stop valves.

1. It shall be unlawful to locate a stop valve between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

2. A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

c. Ammonia mixer.

1. The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

2. The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

3. It shall be unlawful to locate a valve in the ammonia

nergency discharge line, except for the manually-oper-ed valve discharging into the water and ammonia mixer, it there may be one stop valve located inside the building r repair purposes only. This valve shall be sealed open d labeled "Keep Open."

4. The manually operated pressure relief valve shall be cated in a locked box which can be opened by members of e Fire Department by means of a Fire Department key. ie door of the box shall be on the public thoroughfare le of the building in an easily accessible location and not ss than eighteen (18) inches or more than five (5) feet ove the sidewalk level. The box shall be permanently eled with letters of not less than one (1) inch reading or Fire Department Use Only." The relief valve shall be eled "Ammonia." A sign shall be posted within the box ading "Do Not Open Valve Until Water Is Flowing."

5. A single standard three (3) inch fire department nection shall be provided through which the necessary ter may be supplied to the mixer. The fire department nection shall be located near the box and not less than hteen (18) inches or more than twenty-four (24) inches ove the sidewalk level and shall be permanently labeled ving letters not less than one (1) inch high reading "To mmonia Mixer." A check valve so set as to prevent gases om reaching the fire department connection shall be in-lled in the water line between the fire department con-tion and the water and ammonia mixer.

. The fire department shall have sole use of the ter and supply the necessary water.

. In systems using over twenty-seven thousand ,000) pounds of ammonia there shall be provided one litional water and ammonia mixer for each twenty-seven usand (27,000) pounds of ammonia or fraction thereof used in excess.

. The ammonia mixer and its connection for a Class ystem shall conform to the diagram in section C19-107.0 the code.

19-104.0. Size of Safety Devices.

a) The size of pressure relief valves shall be as follows:

Capacity of System.	CO_2 and Ethane, No. Req., Size.	Other Refrigerants, No. Req., Size.
to 30 tons.....	1—½"	1—½"
to 60 tons.....	1—½"	1—¾"
to 100 tons.....	1—½"	1—1"
to 175 tons.....	1—½"	1—1¼"
to 250 tons.....	1—¾"	1—1½"
to 450 tons.....	1—1"	1—2"
to 900 tons.....	.....	2—2"

) Where rupture members are permitted and used, the valent area of the relief valve specified must be pro-d.

) Fusible plugs may be used on all Class C systems on all Class B systems of the hermetically sealed com-sion type containing not more than fifty (50) pounds efrigerant. The free discharge opening shall be one-enth (1/16) inch in diameter.

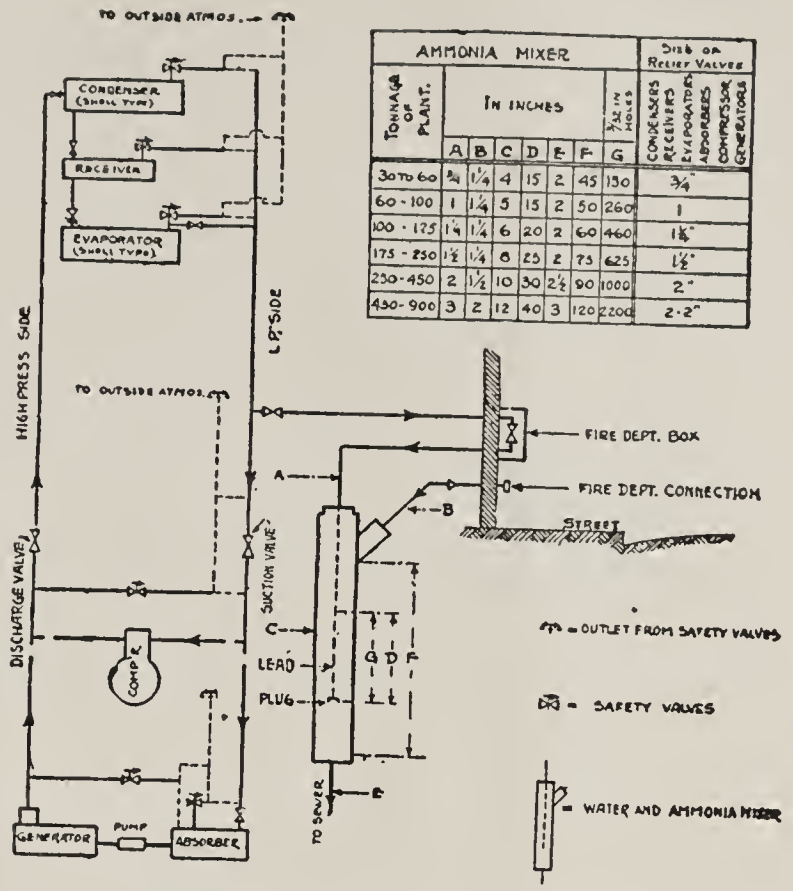
9-105.0. Location and Discharge of Safety Devices.

a. Location.

pressure limiting device shall be provided on the pressure side of each water-cooled refrigerating sys-containing more than six (6) pounds of refrigerant. essure relief valve shall be provided on the high pres-side of each water-cooled refrigerating system con-ng twenty (20) pounds or more of refrigerant, but it not be necessary to discharge the refrigerant to the de air or water tank from any such refrigerating sys-ontaining fifty (50) pounds or less of refrigerant, any provision of part 1, of this title, to the contrary not-tanding.

b. Location and discharge of safety devices.

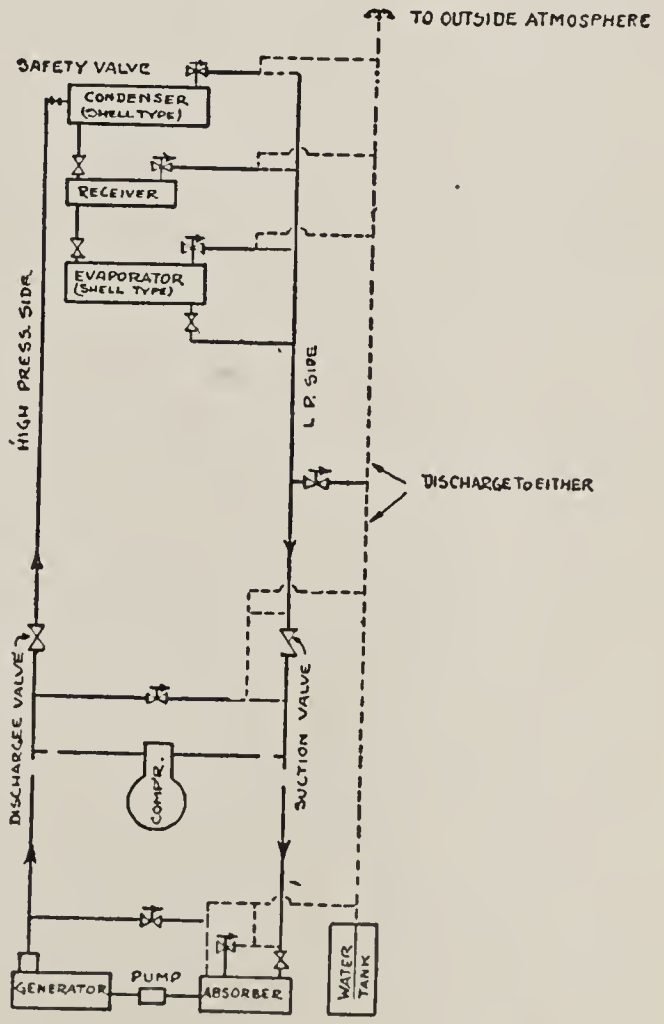
Each compressor or generator of a Class A or B



AMMONIA MIXER								Size of Relief Valves
Tonnage of Plant.	In Inches							
	A	B	C	D	E	F	G	Condensers Receivers Evaporators Absorbers Compressor Generators
30 to 60	¾	1¼	4	15	2	45	130	¾"
60 - 100	1	1¼	5	15	2	50	260	1"
100 - 175	1¼	1¼	6	20	2	60	460	1¼"
175 - 250	1½	1¼	8	25	2	75	625	1½"
250-450	2	1½	10	30	2½	90	1000	2"
450-900	3	2	12	40	3	120	2200	2-2"

ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "A" EQUIPMENT

SECTION C19-107.0



ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "B" EQUIPMENT

SECTION C19-107.0

system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

2. A rupture member may be substituted for the relief valve in CO_2 systems or systems operating below atmospheric pressure.

3. Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve, discharging as hereinafter provided.

4. Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

5. A pressure relief valve shall be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section C19-107.0 of the code.

c. Discharge of pressure relief valve.

1. Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in subdivision C, of section C19-103.0 of the code. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge pipe shall be not less than the size of the relief valve outlet. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

2. Where more than fifty (50) pounds of ammonia is used in a Class B system, the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems, or to the low pressure side as shown in diagrams in section C19-107.0 of the code, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth (⅛) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half (½) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

3. Where more than fifty (50) pounds of any refrigerant other than ammonia is used, the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbondioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

4. Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section C19-107.0 of the code.

§C19-106.0. Operating Precautions.

a. Masks and helmets.

1. In a Class A system which operates above atmospheric pressure, there shall be provided at least two helmets or masks.

2. In a Class B system in which more than fifty (50) pounds of ammonia. sulphur dioxide or other irritant refrigerant is used, there shall be provided at least one helmet or mask.

3. Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

b. Signs.

1. On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, containers and shell type coolers, signs having letters not less than one and one-half inches (1½") high, designating the part and refrigerant contained therein.

2. The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least 8½" by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system. The purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near the or on the name plate.

3. The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

c. Storage of refrigerant.

1. Refrigerant not contained in the refrigerating system shall be stored only in non-inflammable or non-irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

2. Only two containers holding not more than a total of three hundred (300) pounds of inflammable or irritant refrigerant shall be stored in the refrigerating machine room of a Class A system.

3. Only one container holding not more than one hundred and fifty (150) pounds of inflammable or irritant refrigerant shall be stored in the refrigerating machine room of a Class B system.

4. In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

5. If a greater amount of inflammable or irritant refrigerant than that permitted in a refrigerating machine room is desired, it shall be stored in a fireproof building or enclosure used for no other purpose.

6. When the refrigerant is withdrawn from a system it shall be discharged only into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. It shall be unlawful to permit any refrigerant to escape into the refrigerating machinery room.

7. Containers shall be connected to the system only during period of charging or withdrawing the refrigerant.

§C19-107.0. Equipment Diagrams.

(See arrangement of pressure relief devices for Class A and Class B equipment.)

ARTICLE 27.
Penalties.

§C19-152.0. Violations.

Any person who shall wilfully violate or neglect or refuse to comply with any provisions of part 1, of this title, except the provisions of article twenty-six, in addition to any other penalties prescribed by law, shall, upon conviction, be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both.

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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FICE—Municipal Building, Rooms 1000 to 1018.

LEPHONE—WOrth 2-0184.

FICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

CONTENTS

is issue of the Bulletin contains, in the order given—

cket.

es Directory.

Hearing Calendar.

utes of Regular Meeting, September 27, 1938, at 10 . M., Affecting Calendar Numbers 251-35-BZ, 608-37-Z, 574-28-BZ, 74-37-BZ, 558-37-BZ, 549-38-BZ and 0-38-BZ.

utes of Regular Meeting, September 27, 1938, at 2 . M., Affecting Calendar Numbers 624-26-BZ, 5-28-Z, 100-38-BZ, 158-36-BZ, 677-38-A, 786-38-A, 741-38-, 760-38-A, 767-38-A, 775-38-A, 791-38-A, 793-38-A, 9-38-A, 823-38-A, 273-37-A, 790-38-S, 297-23-SA, 734--SA, 136-38-SM, 714-38-SM and 735-38-SM.

s for Interior Fire Alarm Signal Systems.

s for Liquefiers used to convert solid carbon dioxide a liquid and/or a gas.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to September 27, 1938

Cal. No. *Department* *Premises Affected*

806-38-BZ.....H.B.Q.....65-27 Cooper avenue, north side, from 65th place to 66th street (Block 3698, Lot 1), Glendale, Borough of Queens. Alt. 2880-38.

807-38-A.....F.D.....529-533 Fifth avenue, northeast corner of 14th street (Block 1035, Lot 1), Borough of Brooklyn. 1175-L.F.

808-38-SM.....Afoterm Tiles for Flooring and Wall Covering, manufactured by S. A. F. F. A., Milano, Italy. Material.

809-38-A.....H.B.B.....36-44 Bedford avenue, northwest corner of North 14th street (Block 2670, part of Lot 1), Borough of Brooklyn. App. 12036-38.

810-38-A-WF..H.B.Q.....135-30 Roosevelt avenue, south side, 209½ ft. west of Main street (Block 874, Lot 26), Flushing, Borough of Queens. N.B. 1368-38.

811-38-A.....H.B.Q.....12-02 to 12-32 40th avenue, Super Block bounded by 40th avenue, 21st street, 41st avenue and 12th street (Block 467, Lots 510 and 544, and Block 468, Lot 457), Long Island City, Borough of Queens. N.B. 5845-38.

812-38-A.....H.B.Q.....10-02 to 10-30 40th avenue, Super Block bounded by 40th avenue, 12th street, 41st avenue and 10th street (Block 469, Lot 415 and Block 470, Lot 375), Long Island City, Borough of Queens. N.B. 6535-38.

813-38-A.....H.B.Q..... 10-02 to 10-30 41st avenue, Super Block bounded by 41st avenue, 12th street, a proposed street and 10th street (Block 465, Lot 35 and Block 466, Lot 35), Long Island City, Borough of Queens. N.B. 6536-38.

814-38-A.....H.B.Q.....8-02 to 8-32 40th avenue, Super Block bounded by 40th avenue, 10th street, 41st avenue and Vernon boulevard (Block 478, Lots 22 to 27 inclusive, and Block 479, Lot 1), Long Island City, Borough of Queens. N.B. 6537-38.

815-38-A.....H.B.Q.....8-02 to 8-36 41st avenue, Super Block bounded by 41st avenue, 10th street, Bridge Plaza North and Vernon boulevard (Block 480, Lot 1, and Block 481, Lots 1 to 7 inclusive, 8, 12, 16, 36, 55 and 63), Long Island City, Borough o Queens. N.B. 6538-38

816-38-A.....H.B.Q.....37-02 Broadway and 32-05 37t street, southeast corner (Bloc 655, Lot 34), Long Islan City Borough of Queens. Alt. 6983-38

817-38-A.....H.B.M.....71 Beach street and 380 Wash ing street, northwest corne (Block 216, Lot 14), Borough of Manhattan. Alt. 3166-37

818-38-SM.....Kaminex Safety Plaster manu factured by Safety Plaste Sales Corporation. Materia

819-38-BZ.....H.B.Q.....75-01 Broadway, northeast cor ner of 75th street (Block 148 (499), Lots 13, 16 and 18) Jackson Heights, Borough o Queens. Decision re. Corr. 1745-3

820-38-SM.....P C Glass Blocks, manufacture by Pittsburgh Corning Cor poration. Materia

821-38-SM.....Zonolite Insulating Plaster, man ufactured by Munn and Stee Inc. Materia

822-38-A.....H.B.Q.....4 Morse court, west side, 10 ft. south of Cornaga avenu (Block 79, Lot 11), Far Rock away, Borough of Queens. Alt. 6684-3

823-38-A.....H.B.M.....2235 Second avenue, west sid 75 ft. south of East 115t street (Block 1664, Lot 25 Borough of Manhattan. Alt. 2815-3

824-38-BZ.....H.B.M.....668-670 Fifth avenue and 2 West 53rd street, southwe corner (Block 1268, Lots 4 to 44 inclusive), Borough Manhattan. N.B. 140-3

825-38-A.....H.B.Bx.....645 East 183rd street, north sid 75 ft. east of Hughes avem (Block 3087, Lot 35), Bo ough of The Bronx. Alt. 368-3

826-38-A.....H.B.B.....70-94 Veronica place, west sid from Snyder avenue to Alb marle road (Block 5110, L 25), Borough of Brooklyn. App. 10506-3

827-38-SM.....Barrett Roofings, manufactur by The Barrett Company. Materi

Restored to Calendar

297-23-SA.....Automatic Deluge Valve. Applian

624-26-BZ.....H.B.Q.....Southwest corner of Kisse boulevard (road) and Hora

CALENDAR

Harding (Nassau) boulevard (Block 2167, Lot 35), Flushing, Borough of Queens.
Decision re. Corr. 89-35.

DESIGNATIONS: H.B.—Department of Housing and Buildings. **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department and **F.D.**—Fire Department.

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules...	Oct. 4, 1938—Vol. 23, No. 40
Certificate of Occupancy, approved form	Aug. 23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 13, 1938—Vol. 23, No. 37
Fire Alarm Rules (Interior)	Oct. 4, 1938—Vol. 23, No. 40
Fire Drill Rules	Aug. 9, 1938—Vol. 23, No. 32
Fire Retarding Rules for Garages, etc.	Sept. 20, 1938—Vol. 23, No. 38
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Aug. 23, 1938—Vol. 23, No. 34
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Oil Burner Rules	Aug. 30, 1938—Vol. 23, No. 35
Paint, Varnish and Lacquer Spraying Rules	Sept. 13, 1938—Vol. 23, No. 37
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract C.O.	Sept. 27, 1938—Vol. 23, No. 39
Smoking in Factories, Rules for	Sept. 13, 1938—Vol. 23, No. 37
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves	Aug. 23, 1938—Vol. 23, No. 34
Fuel Oil Burners for Domestic and Commercial Use	Aug. 30, 1938—Vol. 23, No. 35
Fuel Oil Fill Pipe Terminals	Aug. 23, 1938—Vol. 23, No. 34
Fuel Oil Burners for Industrial Use	Aug. 30, 1938—Vol. 23, No. 35
Fuel Oil Pumps	Aug. 30, 1938—Vol. 23, No. 35
Paint, Varnish and Lacquer Spraying Equipment	Sept. 13, 1938—Vol. 23, No. 37
Range Oil Burners and Space Heaters	Aug. 9, 1938—Vol. 23, No. 32

OCTOBER 4, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October* 1938, at 10 o'clock, in Room 1013, Municipal Building, the following matters:

CAL. NO. 332-38-BZ—Application, May 3, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of John F. Trommer, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1605-1615 Bushwick avenue, northeast corner of Stewart street (Block No. 3475, Lot No. 50), Borough of Brooklyn.

CAL. NO. 417-37-BZ—Application, August 24, 1937, under section 7h of the building zone resolution, of Vivian J. Burkett, lessee, on behalf of Annie Callan, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises northeast corner of Crocheron avenue and 169th street (Block No. 5297, Lot No. 6), Flushing, Borough of Queens.

CAL. NO. 570-38-BZ—Application, July 5, 1938, under section 7a of the building zone resolution, of Robert Gottlieb, applicant, on behalf of Stanley K. Malouf, owner, to permit in a residence use district the erection and maintenance of a business building (stores and offices above); premises 791-793 St. Nicholas avenue, west side, 51 ft. south of West 150th street (Block No. 2064, Lot Nos. 33 and 34), Borough of Manhattan.

CAL. NO. 395-37-BZ—Application, August 9, 1937, under section 21 of the building zone resolution, of Joseph J. Nista, applicant, on behalf of Florence Helfrich, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1058 Union avenue, east side, 192-01 ft. south of East 166th street (Block No. 2679, part of Lot No. 11), Borough of The Bronx.

CAL. NO. 537-37-BZ—Application, November 15, 1937, under sections 7h and 21 of the building zone resolution of Isidore Beerman, applicant, on behalf of Schulte Realty Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 72-01 to 72-17 Roosevelt avenue, north side, 100 ft. west of 72rd street and 7216 to 7230 Broadway (Block No. 1283, Lot Nos. 72, 80, 90, 93, 97, 99 and part of 84), Jackson Heights, Borough of Queens.

CAL. NO. 582-38-BZ—Application, July 8, 1938, under section 21 of the building zone resolution, of Charles H. Pfaff, applicant, on behalf of Justine Schwab, owner, to permit in a business use district the extension of an existing gasoline service station; premises 222-45 to 222-47 Braddock avenue (Rocky Hill road), northwest corner of Sabre street (Block No. 7967, Lot No. 39 and part of Lot No. 41), Queens Village, Borough of Queens.

CAL. NO. 262-37-BZ—Application, June 4, 1937, under sections 7h and 21 of the building zone resolution, of Henry W. Schober, applicant, on behalf of Herbert H. Peters, owner, to permit partly in a business use district and partly in a residence use district, for a temporary

CALENDAR

period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 21-11 Menahan street, north side, 101.67 ft. east of Grandview avenue (Block No. 2204, Lot Nos. 68, 71 and 80), Ridgewood, Borough of Queens.

CAL. NO. 255-38-BZ—Application, April 11, 1938, under section 21 of the building zone resolution, of Irving Kudroff, applicant, on behalf of Aberdeen Garage, Inc., owner, to permit in a business use district the extension of an existing public garage (previously granted by the board) by the construction of a new ramp and also the erection and maintenance of a gasoline service station, analytical service, greasing station, motor vehicle shop for minor repairs and brake service station; premises 2181-2191 Jerome avenue, west side, from Clinton place to West 182nd street, 3 Clinton place and 4 West 182nd street (Block No. 3195, Lot Nos. 66 and 69), Borough of The Bronx.

CAL. NO. 416-38-BZ—Application, May 27, 1938, under sections 7a and 21 of the building zone resolution, of Emanuel H. Jerabek, applicant, on behalf of Josephine Pokorny, owner, to permit in a business use district, the extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and also, a motor vehicle repair shop; premises 162-42 to 162-44 Pidgeon Meadow road (Fresh Meadow road), west side, 235.23 ft. north of Laburnum avenue (Block No. 5461, Lot Nos. 44, 46, 47 and 49), Flushing, Borough of Queens.

CAL. NO. 736-38-BZ—Application, August 16, 1938, under section 7g of the building zone resolution, of Francis T. Christy, applicant, on behalf of Rockefeller Center, Inc., lessee, The Trustees of Columbia University in the City of New York, owner, to permit in a retail use district the erection and maintenance of a building to be occupied as a garage for more than five (5) motor vehicles and offices; premises 25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan.

CAL. NO. 609-37-BZ—Application, December 22, 1937, under section 7h of the building zone resolution of Grand Street Realty Corporation owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 91-02 168th street, west side, 150.72 ft. north of Jamaica avenue (Block No. 867, Lot Nos. 83, 85 and 86), Jamaica Borough of Queens.

CAL. NO. 251-35-BZ—Application of Paul Friedman, applicant, on behalf of State Engineering Corporation and Cora Lay Waldron owners, reopened May 17, 1938, under section 21 of the building zone resolution, to permit partly in a residence district and partly in a business district the erection and maintenance of a business building (stores); (previously denied under sections 7c and 21 of the building zone resolution) premises 2115-2119 Caton avenue, north side, 91 ft. west of Flatbush avenue (Block No. 5063, Lot No. 69), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 4, 1938, 2 P. M.

Appeals from Administrative Orders

677-38-A—52 Sands street, northeast corner Adams street (Block No. 66, Lot No. 7), Borough of Brooklyn.

786-38-A—1062 (1058 displayed) 55th street, south side 184 ft. 8 in. west of 11th avenue (Block No. 5681, Lot No. 26), Borough of Brooklyn.

606-38-A—115 Amity street, northeast corner of Henry street (Block No. 291, Lot No. 1), Borough of Brooklyn.

607-38-A—117 Amity street, north side, 16 ft. 10 in. east of Henry street (Block No. 291, Lot No. 52), Borough of Brooklyn.

608-38-A—119 Amity street, north side, 33 ft. 4 in. east of Henry street (Block No. 291, Lot No. 51), Borough of Brooklyn.

609-38-A—121 Amity street, north side, 49 ft. 10 in. east of Henry street (Block No. 291, Lot No. 50), Borough of Brooklyn.

610-38-A—125 Amity street, north side, 82 ft. 10 in. east of Henry street (Block No. 291, Lot No. 48), Borough of Brooklyn.

611-38-A—127 Amity street, north side, 99.4 ft. east of Henry street (Block No. 291, Lot No. 47), Borough of Brooklyn.

612-38-A—110-118 Amity street, southeast corner of Henry street (Block No. 296, part of Lot No. 3), Borough of Brooklyn.

613-38-A—120 Amity street, south side, 90 ft. east of Henry street (Block No. 296, Lot No. 10), Borough of Brooklyn.

614-38-A—122 Amity street, south side, 117 ft. east of Henry street (Block No. 296, Lot No. 1), Borough of Brooklyn.

615-38-A—149 Congress street, north side, 90 ft. east of Henry street (Block No. 296, Lot No. 40), Borough of Brooklyn.

616-38-A—359 Henry street, east side, 50 ft. south of Amity street (Block No. 296, part of Lot No. 5), Borough of Brooklyn.

617-38-A—361 Henry street, east side, 73 ft. south of Amity street (Block No. 296, part of Lot No. 5), Borough of Brooklyn.

618-38-A—363 Henry street, east side, 74.5 ft. north of Congress street (Block No. 296, Lot No. 4), Borough of Brooklyn.

781-38-A—12-16 Vestry street, north side, 130 ft. 10¼ in. east of Hudson street (5th floor); (Block No. 221, Lot No. 35), Borough of Manhattan.

CALENDAR

681-38-A—15 Westchester square, west side, 30 ft. south of Benson street (Block No. 3981, Lot No. 21), Borough of The Bronx.

769-38-A—295-303 Lafayette street, 35-39 East Houston street, 7-17 Jersey street and 271-293 Mulberry street (8th floor, South Bldg.); (Block No. 510, Lot No. 45), Borough of Manhattan.

776-38-A-WF—132-54 40th road (Grove street), south side, 660 ft. west of Main street (Block No. 4651, Lot No. 30), Flushing, Borough of Queens.

810-38-A-WF—135-30 Roosevelt avenue, south side, 209½ ft. west of Main street (Block No. 874, Lot No. 26), Flushing, Borough of Queens.

811-38-A—12-02 to 12-32 40th avenue, Super Block bounded by 40th avenue, 21st street, 41st avenue and 12th street (Block No. 467, Lot Nos. 510 and 544, and Block No. 468, Lot No. 457), Long Island City, Borough of Queens.

812-38-A—10-02 to 10-30 40th avenue, Super Block bounded by 40th avenue, 12th street, 41st avenue and 10th street (Block No. 469, Lot No. 415 and Block No. 470, Lot No. 375), Long Island City, Borough of Queens.

813-38-A—10-02 to 10-30 41st avenue, Super Block bounded by 41st avenue, 12th street, a proposed street and 10th street (Block No. 465, Lot No. 35, and Block No. 466, Lot No. 35), Long Island City, Borough of Queens.

814-38-A—8-02 to 8-32 40th avenue, Super Block bounded by 40th avenue, 10th street, 41st avenue and Vernon boulevard (Block No. 478, Lot Nos. 1 to 22 inclusive, and Block No. 479, Lot No. 1), Long Island City, Borough of Queens.

815-38-A—8-02 to 8-36 41st avenue, Super Block bounded by 41st avenue, 10th street, Bridge Plaza North and Vernon boulevard (Block No. 480, Lot No. 1 and Block No. 481, Lot Nos. 1 to 7 inclusive, 8, 12, 16, 36, 55 and 63), Long Island City, Borough of Queens.

816-38-A—37-02 Broadway and 32-05 37th street, southeast corner (Block No. 655, Lot No. 34), Long Island City, Borough of Queens.

817-38-A—71 Beach street and 380 Washington street, northwest corner (Block No. 216, Lot No. 14), Borough of Manhattan.

826-38-A—70-94 Veronica place, west side, from Snyder avenue to Albemarle road (Block No. 5110, Lot No. 25), Borough of Brooklyn.

832-38-A—South side of Eliot avenue, 626 ft., 644 ft. and 667 ft. west of 84th street (Block No. 2941, Lot No. 1), Elmhurst, Borough of Queens.

828-38-A—165-05 Northern boulevard, northeast corner of 165th street (Block No. 5340-998 (96), Lot No. 8), Flushing, Borough of Queens.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October* 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 174-36-BZ—Application of Szold and Brandwen, applicants, on behalf of New York Clothing Cutters Centre, Inc., owner, reopened September 13, 1938, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 44-46 East 12th street, south side, 132 ft. west of Broadway (Block No. 563, Lot No. 28), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 11, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October* 11, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 731-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Fred B. McDuffee, Director, Bureau of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of an extension to an existing garage for the storage of more than five (5) motor vehicles; premises 535-543 East 120th street, northwest corner of East River drive (Block 1817, part of Lot No. 13), Borough of Manhattan.

CAL. NO. 801-38-BZ—Application, September 19, 1938, under sections 7a, 7c and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Sam S. Glauber, Inc., owner, to permit in a residence use district the extension in height of an existing business building by erecting an extension on the roof; premises 521-529 East 79th street, north side, 198 ft. west of East End avenue (Block No. 1576, Lot No. 14), Borough of Manhattan.

CAL. NO. 666-38-BZ—Application, July 26, 1938, under sections 7g and 21 of the building zone resolution, of Benjamin Braunstein, applicant, on behalf of Sunnyside Building Corporation, The East New York Savings Bank and Estate of Andrew Wischerth (Charlotte Power and Veronica Wischerth, executrices), owners, to permit in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles to be operated in conjunction with a proposed multiple dwelling; premises 101-125 Sunnyside avenue north side, 210 ft. 1 in. east of Miller avenue (Block No. 3885, Lot Nos. 10, 12 and 41 and part of Lot No. 100), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 11, 1938, 2 P. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

CALENDAR

of the building zone resolution, *Tuesday afternoon, October* 11, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further arngument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 583-38-BZ—Application, July 8, 1938, under section 7h of the building zone resolution of Harry Yahr, applicant, on behalf of The Mutual Life Insurance Company of New York, owner, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan.

CAL. NO. 574-28-BZ—Application of George A. Boehm, applicant on behalf of Estate of Max Eisman, owner, reopened July 6, 1938, under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop (previously withdrawn); premises 1339 Jerome avenue (Macombs road), west side, 472.96 ft. south of West 170th street and 1338 Inwood avenue (Block No. 2856, Lot Nos. 9-10-49 and 50), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 18, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October* 18, 1938, at 10 o'clock, in Room 1013, Municipal Building on the following matters:

CAL. NO. 608-37-BZ—Application, December 21, 1937, under sections 7h and 21 of the building zone resolution of Patrick J. Keating, lessee, on behalf of First Methodist Episcopal Church, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 142-17 Roosevelt avenue, north side, 150.83 ft. east of Union street (Block No. 5020, Lot No. 49), Flushing, Borough of Queens.

CAL. NO. 694-38-BZ—Application, August 4, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Gulf Oil Corporation, owner, to permit in a business use district the extension of an existing gasoline service station; premises 85-06 Queens boulevard and 86-71 Grand avenue, southwest corner (Block No. 2477, Lot No. 16), Elmhurst, Borough of Queens.

CAL. NO. 685-38-BZ—Application, August 3, 1938, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Gulf Oil Corporation, owner, to permit partly in a business use district and partly in a residence use district the reconstruction and extension of an existing gasoline service station; premises 112-02 to 112-12 Northern boulevard, southeast corner of 112th street (Block No. 1727, Lot Nos. 1 and 5), Corona, Borough of Queens.

CAL. NO. 657-38-BZ—Application, July 21, 1938, under section 21 of the building zone resolution, of B. Robert Swartburg, applicant, on behalf of Airport Land Corporation, owner, to permit in a residence use district the erection and maintenance of forty-five (45) individual garages; premises 21-45 76th street, east side, 102 ft. north of Ditmars boulevard (Block No. 972, part of Lot No. 12), Astoria, Borough of Queens.

CAL. NO. 678-38-BZ—Application, July 27, 1938, under section 21 of the building zone resolution, of Albert Goldhammer, applicant, on behalf of Transboro Realty Corporation, owner, to permit in a residence use, "B" area district the construction of a building (multiple dwelling) having a rear yard starting at a higher level than permitted by the building zone resolution; premises 1555 Sheridan avenue, west side, 236.73 ft. south of Mount Eden avenue (Block No. 2821, Lot Nos. 61, 63 and 64), Borough of The Bronx.

CAL. NO. 730-38-BZ—Application, August 22, 1938, under sections 7h and 21 of the building zone resolution, of Groehl and Monness, applicants, on behalf of Shakbro Realty Corporation, owner, to permit partly in a residence use district and partly in a business use district the parking and storage of more than five (5) motor vehicles; premises northeast corner of West 187th street and Amsterdam avenue (Block No. 2149, part of Lot No. 108), Borough of Manhattan.

CAL. NO. 711-38-BZ—Application, August 10, 1938, under section 21 of the building zone resolution, of George M. Glassgold, applicant, on behalf of Midtown Construction Corporation, owner, to permit partly in a business use district and partly in an unrestricted use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 16-18 Tiemann place, south side, 200 ft. east of Broadway (Block No. 1981, Lot No. 58), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 18, 1938, 2 P. M.

Appeals from Administrative Orders

758-38-A—341 Broadway, west side, 83 ft. 5 in. north of Worth street (Block No. 173, Lot No 30), Borough of Manhattan.

CALENDAR

761-38-A—118 Chambers street, south side, 112 ft. 11½ in. west of Church street (Block No. 136, Lot No. 23), Borough of Manhattan.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October* 18, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 99-33-BZ—Application of Seelig and Finkelstein, applicants, on behalf of New York Rapid Transit Corporation, owner, reopened September 20, 1938, for consideration as to extension of permit—permit having expired by limitation—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the use and occupancy of a vacant plot of ground as an open air parking space for more than five (5) motor vehicles for a temporary period; premises 3068-3074 Ocean parkway, west side, 283 ft. 7 in. north of Sea Breeze avenue (Block No. 7282, part of Lot Nos. 57 and 60), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 25, 1938, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October* 25, 1938, at 2 o'clock, in Room 1013, Municipal Building on the following matter:

CAL. NO. 624-26-BZ—Application of Apa Realty Corporation, applicant and owner, reopened September 27, 1938 for consideration as to extension of permit—re Application, granted on condition, under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station (erected under a temporary variation granted by the board for a temporary period); premises southwest corner of Kissena boulevard (road) and Horace Harding (Nassau) boulevard (Block No. 2167, Lot No. 35), Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 15, 1938, 2 P. M.

Appeal from Administrative Order

306-38-A—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, SEPTEMBER 27, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the special meeting of the board held on Tuesday morning, August 16, 1938 and the minutes of the regular meeting of the board held on Tuesday morning, September 13, 1938 and also the minutes of the regular meeting of the board held on Tuesday afternoon, September 13, 1938, were approved as printed in Bulletin No. 38, Vol. XXIII.

BUILDING ZONE CASES

251-35-BZ.

APPLICANT—Paul Friedman, for State Engineering Corporation and Cora Lay Waldron, owners.

SUBJECT—Application reopened May 17, 1938 (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the erection and maintenance of a business (stores); (previously denied under sections 7c and 21 of the building zone resolution).

PREMISES AFFECTED—2115-2119 Caton avenue, north side, 91 ft. west of Flatbush avenue (Block No. 5063, Lot No. 69), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman, Joseph A. Neef, Matthias Shalita and Henry Halperin.

For Opposition: None.

ACTION OF BOARD—Laid over to October 4, 1938, at 10 a.m. for further hearing. Applicant to notify objectors.

608-37-BZ.

APPLICANT—Patrick J. Keating, lessee, for First Methodist Episcopal Church, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—142-17 Roosevelt avenue, north side, 150.83 ft. east of Union street (Block No. 5020, Lot No. 49), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: George B. Rue.

For Opposition: None.

ACTION OF BOARD—Application referred to the engineer of the board to set a new date of hearing. Applicant failed to notify affected property owners.

574-28-BZ.

APPLICANT—George A. Boehm, for Estate of Max Eisman, owner.

SUBJECT—Application, reopened July 6, 1938 (decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district, the conversion of occupancy of an existing building to a garage for

more than five (5) motor vehicles and also a motor vehicle repair shop (previously withdrawn).

PREMISES AFFECTED—1339 Jerome avenue (Macombs road), west side, 472.96 ft. south of West 170th street and 1338 Inwood avenue (Block No. 2856, Lot Nos. 9, 10, 49 and 50), Borough of The Bronx.

APPEARANCES—

For Applicant: George A. Boehm and H. P. Pennell.

For Opposition: Sol A. Herzog, Al Winters, H. J. Henze and William J. Flynn.

ACTION OF BOARD—Laid over to October 11, 1938, at 2 p.m., pending inspection by a committee of the board. No further argument.

74-37-BZ.

APPLICANT—A. J. Simberg, for Benjamin Lazaroff, owner.

SUBJECT—Application reopened August 16, 1938, for consideration as to extension of time to complete work—time having expired by limitation—re Application (decision of the commissioner of buildings) previously granted on condition, under sections 7a, 7c and 21 of the building zone resolution, permitting in a residence use district the extension of an existing business use and also the omission of the required rear yard.

PREMISES AFFECTED—255 West 18th street, north side, 100 ft. east of Eighth avenue (Block No. 768, Lot No. 7), Borough of Manhattan.

APPEARANCES—

For Applicant: Frank Sornica.

For Opposition: None.

ACTION OF BOARD—Resolution amended and time extended to complete work.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(74-37-BZ)

WHEREAS, this application, affecting premises 255 West 18th street, north side, 100 ft. east of Eighth avenue (Block No. 768, Lot No. 7), Borough of Manhattan, was granted by the board, June 15, 1937, on certain conditions and applicant requested an extension of time to obtain permit and complete the work; and

WHEREAS, on August 16, 1938, this application was reopened by a vote of the board; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 27, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the board on June 15, 1937, in so far as it has relation to obtaining of permits and completion of work, so that as amended this portion of the resolution shall read:

" . . . that all permits shall be obtained and all work shall be completed within one (1) year from the date of this amended resolution."

558-37-BZ.

APPLICANT—Michael Garozzo, for Druiss Co., Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—62-66 Henry street and 23-29 Market street, southwest corner (Block No. 277, Lot Nos. 24, 25, 26 and 27), Borough of Manhattan.

APPEARANCES—

For Applicant: Philip Garozzo.

For Opposition: Arthur Miller and A. S. Hodgkiss, Dept. of Parks.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(558-37-BZ)

WHEREAS, Michael Garozzo, for Druiss Co., Inc., owner, filed, November 26, 1937, an application under the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 62-66 Henry street and 23-29 Market street, southwest corner (Block No. 277, Lot Nos. 24, 25, 26 and 27), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 27, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Henry street is in a business and unrestricted use district; Market street is in a business and unrestricted use district; and Madison street is in a business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated November 23, 1937, re Zoning Violation 63-1937, reads:

"Reinspection of the above premises relative to Zoning Violation 63-1937 pending in this department shows the plot to be used for parking of more than five motor vehicles contrary to sections 4 (a) and 7 (h) of the building zone resolution as amended June 28, 1935.

Application for a certificate of occupancy to occupy the premises for the parking and storage of more than five motor vehicles has been disapproved by this department as approval for such use must be obtained initially from the Board of Standards and Appeals pursuant to the provisions of section 7 (h) of the amended building zone resolution.

Action to comply with the law in the matter must be taken without further delay in order to obviate the necessity for prosecution of the case by this department to enforce compliance."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Market street and 113 ft. 4 in. on Henry street. It is proposed to use the plot for a temporary period of not more than 2 years for the parking and storage of more than 5 motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to hearing; and

WHEREAS, the board deemed this was a proper case to exercise its discretion under section 7, subdivision H, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted under section 7-H, for a term of two* (2) *years* from the date of this action, to permit the premises under appeal to be used for

parking and storage of more than five (5) motor vehicles, *on condition* that only automobiles of the pleasure-car type shall be so parked or stored; that there shall be erected on the street building lines and on interior lot lines, where walls of adjoining buildings do not occur, a substantial wooden or woven-wire fence; that if a wooden fence is erected, the fence and posts shall be kept painted and no advertising or posters shall be permitted thereon; that no entrance shall be installed, except from Henry street by means of curb cut not exceeding 15 ft. in width; that during the term of this variance, the plot shall be used for no other purpose than as herein permitted; that no servicing of cars shall be permitted on the premises; that no building shall be erected on plot, except there may be erected a building for office and shelter of attendant, not exceeding one story in height and 150 sq. ft. in area; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances as the fire commissioner shall direct shall be provided; that the surface of the plot shall be properly covered with steam cinders or gravel or other suitable material; that any lights for general illumination shall be so arranged as to reflect towards the centre of premises and away from adjoining occupancies; that no signs shall be permitted on property, except a sign near the entrance advertising the parking and storage use and a similar sign erected near the corner of intersecting streets within the lot lines, no sign to exceed 15 sq. ft. in area; and that all permits shall be obtained and all work shall be completed within two months from the date of this action.

49-38-BZ.

APPLICANT—Joseph M. Lonergan, for Bruno Bernabo, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—4729 Third avenue and 4730 Park avenue, southwest corner of East 189th street (Block No. 3041, Lot No. 47), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph M. Lonergan, Chas. G. Keller, Emil Morosini, Daniel F. Cohalan, Jr. and R. D. O'Connell.

For Opposition: Ralph P. Litchman, James J. Bergen and Sol. A. Herzog.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(549-38-BZ)

WHEREAS, Joseph M. Lonergan, for Bruno Bernabo, owner, filed June 24, 1938, an application under the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises 4729 Third avenue and 4730 Park avenue, southwest corner, of East 189th street (Block No. 3041, Lot No. 47), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 27, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Third avenue is in an unrestricted and business use district; Park avenue is in a business use district; and East 189th street is in a business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated August 3, 1938, re N.B. App. No. 204-38, reads:

> "1. Proposed gasoline station is contrary to Article 2, Section 4 of the amended Building Zone Resolution, as these premises are located in a business use district."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 87.4 ft. on Third avenue, 85.6 ft. on Park avenue and a distance of 81.9 ft. along the south lot line. It is proposed to demolish the buildings now on the site and to erect thereon a one-story building, 36 ft. by 31 ft., irregular in area, to be used for office and lubritorium and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board when this site was under appeal in Cal. No. 324-37-BZ; and

WHEREAS, the board deemed that hardship existed to warrant the granting, under section 21, of the use desired.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, to permit the premises under appeal to be occupied as a gasoline service station, *on condition* that the plot shall be leveled substantially to the grade of the surrounding streets; that the gasoline station shall be arranged substantially as indicated on plans filed with this application; that the accessory building shall be constructed of fireproof materials, except that the roof beams, roof boarding, door frames and doors, window frames and sash may be of wood, provided the ceiling throughout is fire-retarded in accordance with the rules of the Board of Standards and Appeals; that a masonry wall, not less than 8 ft. high, shall be erected continuously along the rear property line from Third to Park avenues; that this wall may be consolidated in the rear wall of the accessory building, which shall be not over one story in height and arranged for office and greasing section; that the front of the greasing section shall remain open if greasing pits are installed, unless mechanical ventilation from the greasing pit up through the roof is maintained with a motor driven fan of the spark-proof type or the greasing rack is of the hydraulic type; that there shall be no excavation except for greasing pits; that any heater room installed shall be enterable from the exterior only and shall be separated from the balance of the accessory building by fireproof construction; that the balance of the plot, where not covered by accessory buildings, walls and indicated planting, shall be cement paved; that no gasoline pumps shall be erected nearer than 10 ft. to any street building line; that entrance to the premises shall consist of two from Third avenue and two from Park avenue; that no curb cut shall be erected exceeding 30 ft. in width from Third avenue and twenty-five (25) ft. in width from Park avenue; that there shall be erected at the intersection of Park and Third avenues within the building line, a solid triangular platform of concrete not less than 12 in. in height and not less than five (5) ft. from the corner, southerly along Third and Park avenues; that planting shall be maintained along the southerly wall, as indicated, with brick curbing; that there shall be no signs erected on the premises, other than a permanent neat sign attached to the accessory building and to the illuminated globes of the pumps, precluding all temporary signs and all roof signs and signs erected against the wall, but permitting the erection within the building line of post standards for supporting signs which may be illuminated, advertising only the brand of gasoline on sale and permitting such signs to extend over the build-

ing lines of Park avenue and Third avenue for a distance of not more than four (4) ft. each; that no automobile repairing shall be carried on and no parking or storage of cars other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; that complete working drawings embodying the requirements of this resolution shall be submitted to the chairman and approved by him in behalf of the board, before same are filed with the superintendent of buildings; that all permits shall be obtained and all work completed within one year from the date of this action.

630-38-BZ.

APPLICANT—Bethlehem Engineering Corporation, for Mutual Life Insurance Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7b, 7c and 7g of the building zone resolution, to permit partly in a restricted retail use district and partly in a retail use district, the erection and maintenance of a building to be used as a motion picture theatre, a bus station and garage for more than five (5) motor vehicles.

PREMISES AFFECTED—118-134 Park avenue, west side, from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: John K. Byard, Henry G. Van Veen, Floyd Brown, John B. Peterkin, C. R. Hulbert, Jr., William G. Clarence and L. P. Hooper.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(630-38-BZ)

WHEREAS, Bethlehem Engineering Corporation, for Mutual Life Insurance Company, owner, filed July 15, 1938, an application under the building zone resolution to permit partly in a restricted retail use district and partly in a retail use district, the erection and maintenance of a building to be used as a motion picture theatre, a bus station and garage for more than five (5) motor vehicles, affecting premises 118-134 Park avenue, west side, from East 41st street to East 42nd street, 57-63 East 41st street and 74-82 East 42nd street (Block No. 1276, Lot No. 33), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 27, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Park avenue is in a restricted retail use district; East 42nd street is in a restricted retail, retail and business use district; East 41st street is in a restricted retail, retail and business use district; Vanderbilt avenue is in a restricted retail and retail use district, and Madison avenue is in a restricted retail use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated July 14, 1938, re N.B. App. No. 121-38, reads:

"1. Since the premises are located partly within a restricted retail and partly within a retail district, the proposed motion picture theatre and the bus station are contrary to the building zone resolutions, Art. II, Par. 4B (adopted June 4th, 1937).

2. Storage of or parking garage for more than five motor vehicles is contrary to the building zone resolutions, Art. II, Par. 4a, Sec. 15."

and

WHEREAS, the proposed building is to be of fireproof construction, three stories and penthouse in height, with a frontage of 197 ft. on Park avenue, 105 ft. on East 42nd street and 105 ft. on East 41st street, to be occupied as airline bus terminal, airline bus storage, offices, restaurant motion picture theatre, garage for transient storage of more than five (5) motor vehicles. The westerly portion of the plot extends for a distance of five (5) ft. into a retail use district and the remainder of the plot is located in a restricted retail use district; and

WHEREAS, the applicant has filed the consents of the owners of over 80% of property frontage in the area deemed affected, so as to come within the provisions of section 7, subdivision G; and

WHEREAS, the board deemed that provisions of section 7, subdivision B and C and G, empowered the board to exercise its discretion and to grant this application under such conditions as will safeguard the character of the mor restricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-B, 7-C and 7-G, to permit the construction and use of the building substantially as indicated on plans and proposal filed with this application for use as an air-line bus terminal, air-line bus storage, motion picture theatre having not over 599 seats, and the transient storage of more than five (5) motor vehicles, *on condition* that the building shall be constructed throughout with Class One construction; that the building shall be faced with limestone or other natural stone on facades of all streets; that the elevators used for the air-line buses shall be entirely enclosed and separated from the balance of the building with fireproof materials; that the space to be used for the storage of automobiles shall be entirely separated from balance of building with fireproof construction with its own legal fireproof stairways independent of any other occupancy leading directly to the street; that this portion of the building shall be protected with a two-source sprinkler system and a standpipe system and equipped with a system of mechanical ventilation of supply and exhaust in all parts that the space beyond the building line used in connection therewith, shall be subject to proper license and franchise issued by the Borough President or any other city department authorized to issue same; that the approval of the Board of Transportation shall be obtained for the construction and use in connection with adjoining subway; that no storage of gasoline shall be permitted in the premises except in the individual tanks of the automobiles; that only motor vehicles of the pleasure car type shall be stored; that no servicing or repairing of automobiles whatever shall be conducted on the premises; that the theatre shall be separated from the balance of the building by fireproof construction with its own independent, legal exits to Park avenue and East 42nd street; that an additional pent-house story next above the waiting room, may be constructed for occupancy as office space in connection with the general uses of the building; that signs shall be restricted against any roof signs and any illuminating signs advertising the theatre or air-line bus use and permitting only such signs as would normally be required for the tenancy of the building, except there may be erected on East 42nd street, a sign advertising the parking use, which may extend beyond the building line for a distance not over two (2) feet and bearing the word "Parking" with an arrow pointing to the parking entrance; that this sign shall not exceed an area of 20 sq. ft.; that the uses as herein permitted shall continue only so long as the main occupancy of the building is for the offices and bus station of

MINUTES

air line; that complete working drawings shall be submitted to the chairman of the board so that the board may consider any additional conditions, if necessary, before same are filed with the borough superintendent of buildings; that such plans shall be filed within sixty (60) days; and that all permits shall be obtained and all work shall be completed within one year after the approval of such plans by the board.

Adjourned, 1 P.M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, SEPTEMBER 27, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

24-26-BZ.

APPLICANT—Apa Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station (erected under a temporary variation granted by the board for a temporary period).

PREMISES AFFECTED—Southwest corner of Kissena boulevard (road) and Horace Harding boulevard (Nassau boulevard); (Block No. 2167, Lot No. 35), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Anna Rheinhardt.

ACTION OF BOARD—Application reopened and set for hearing October 25, 1938, at 2 p.m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

28-BZ.

APPLICANT—Paul Friedman, for Parkway Center Building Corporation, owner.

SUBJECT—Application reopened June 14, 1938 re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station (previously denied).

PREMISES AFFECTED—384-388 Hawthorne street and 664-674 New York avenue, southwest corner (Block No. 4819, Lot No. 39), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman.

For Opposition: A Larson and Miles F. McDonald.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(5-28-BZ)

WHEREAS, this application, under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station, affecting premises 384-388 Hawthorne street, 664-674 New York avenue, southwest corner (Block No. 4819, Lot No. 39), Borough of Brooklyn, was denied by the board, June 12, 1928; and

WHEREAS, the owner, through its attorney, Paul Friedman, requested a reopening of the case, on the basis of new facts; and

WHEREAS, the case was reopened by vote of the board June 14, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 27, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hawthorne street is in a residence and business use district; New York avenue is in a business and unrestricted use district and Winthrop street is in an unrestricted and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated June 22, 1938 (re Application No. 5771-38), reads:

"1. Proposed occupancy of gasoline station, auto laundry, lubritorium and office in a business zone is contrary to Art. II, Section 4 (a) par. (46) of the Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 106 ft. on New York avenue and 44.6 ft. on Hawthorne street, upon which it is proposed to erect a one-story office, lubritorium and auto laundry structure, 44 ft. 6 in. by 25 ft. in area and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, report of which inspection was read at this hearing and which report follows:

REPORT OF COMMITTEE

Re: Cal. No. 5-28-BZ.

384-388 Hawthorne street and 664-674 New York avenue, southwest corner, Borough of Brooklyn.

This application is for a zoning variance, to permit the use of the plot as a gasoline station. Located at the corner, the plot is 44 ft. 6 in. on Hawthorne street and 106 ft. on New York avenue, with an area of approximately 4,700 sq. ft. It is located in a business use zone and is now entirely vacant. The adjoining zone to the east is residential and to the south unrestricted and to the north along New York avenue, business. In the residential area to the west and including lots on the side streets within the business use area, there are substantial developments of single family houses. The Kings County Hospital grounds extend to New York avenue at Winthrop street, the next block south from the block in question.

Along New York avenue within the area of notifica-

tion, the business frontage is devoid of conforming uses and the frontages are either vacant or occupied by gasoline stations. At the northwest corner of Winthrop street, which is zoned for unrestricted use west of New York avenue, there is an existing gasoline station which has recently been entirely reconstructed and adjoins the rear of the plot under appeal. Winthrop street otherwise westerly from New York avenue is developed with single family houses on the north side and the gasometers and garages of the Brooklyn Union Gas Company, on the south side. The gasoline stations within the business use district are there because of variances granted by this board, namely, southeast corner of New York avenue and Fenimore street, under Cal. No. 306-27-BZ; northeast corner of New York avenue and Hawthorne street, Cal. No. 618-29-BZ. These are the only variances that the board has made in this area along New York avenue and are not of recent date. The Board was upheld in its grant as to 618-29-BZ. A gasoline station was denied for the plot opposite the plot under appeal at the northwest corner of Hawthorne street and New York avenue, under Cal. No. 405 of 1928-BZ, and for a garage at the southeast corner of Winthrop street and New York avenue, under Cal. No. 49 of 1929-BZ, because of its proximity to Kings County Hospital and the board's decision was upheld by the Court.

There have been no recent applications before the board in this immediate area for several years and not since the decision of the Court of Appeals in Young Women's Hebrew Association vs. the Board and Tilly Levy vs. the Board. Such decisions as the Board previously rendered were without the guidance of these opinions of the Court of Appeals as to the Board's power under section 21. In the light of these opinions, the favorable decision of the Board as to the two gasoline stations granted might have been different.

This plot under appeal was before the Board in 1928 and denied for the gasoline station use. The present owners were the owners then and sought court review of the Board's denial. The certiorari proceedings were however discontinued by stipulation, and a rehearing was granted by this Board because of the gasoline station granted diagonally opposite.

Other than for this additional gasoline station, the facts are substantially the same as when the Board heard the application in June, 1928. The owners bought the plot with full knowledge of the zoning restrictions. The abutting gasoline station was there in 1928 and it has since been entirely rebuilt with the walls of the accessory building on the common rear line presenting, while still a gasoline station, a far more desirable condition than formerly. There are other lots similarly situated in the area along New York avenue on vacant corners facing or diagonally opposite gasoline stations. Granting this application, would open the way for four or more other corners situated practically similar with the one exception, that the others do not abut the unrestricted district. There are also two additional gasoline stations immediately north of the limit of the area, making five gasoline stations within sight of each other along New York avenue. No more are needed and the competition between those existing is apparently serious, as was stated at the hearing by a gasoline station operator. At the previous hearing in 1928, there were real estate witnesses who testified that the plot could not be conformingly used. At the recent hearing, similar testimony was given and the committee noted that one of the experts thought every other piece of vacant property on New York avenue could be occupied for conforming use, and that the sole exception was the plot under appeal because it adjoined an unrestricted district. Winthrop street west of New York avenue has a row of sixteen dwellings in spite of the unrestricted zoning.

There are many objections filed and no consents. In 1928 there were many objections. In the opinion of the committee, there has been no sufficient proof of unnecessary hardship or that the plot cannot be developed for a conforming use, that will give a return on the value of the plot which is assessed for $7,000. The committee also is of the opinion that to grant this application will cause more hardship on the adjoining owners than the benefit to this owner.

After inspection and careful consideration of the facts brought out at the hearing and a rereading of the minutes in the previous hearing in June, 1928, and also in calendar numbers 405 of 1928-BZ, 618 of 1929-BZ, and 49 of 1929-BZ, it is recommended that the application be denied.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

and

WHEREAS, this report recommended the denial of this application under section 21 on the grounds that applicant failed to substantiate his basis of appeal—practical difficulties and unnecessary hardship.

Resolved, that the decision of the borough superintendent, on Application No. 5771-38, be and it hereby is *affirmed,* and that the application be and it hereby is *denied.*

100-38-BZ.

APPLICANT—Lama and Proskauer, for Three-Eighty-Three Realty Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—11-17 West 35th street, north side, 200 ft. west of Fifth avenue and 12-14 West 36th street, south side, 219 ft. west of Fifth avenue (Block No. 837, Lot Nos. 31, 32, 33, 34, 54 and 55), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama and J. J. Ston

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....
Negative .....
Absent .....

THE RESOLUTION—

(100-38-BZ)

WHEREAS, Lama & Proskauer, for the Three-Eight Three Realty Corporation, owner, filed February 17, 19. an application with the Board of Standards and Appea to permit in a retail use district for a temporary period not more than two (2) years, the parking and storage more than five (5) motor vehicles, premises: 11-17 W 35th street, north side, 200 ft. west of Fifth avenue a 12-14 West 36th street, south side, 219 ft. west of Fi avenue (Block No. 837, Lot Nos. 31, 32, 33, 34, 54 and 5. Borough of Manhattan; and

WHEREAS, the board adopted the following resoluti June 14, 1938:

"*Resolved,* that it is the consensus of opinion of board, that the plot under appeal could be suitably u for parking and storage of more than five (5) mo vehicles of the pleasure-car type as proposed and t

a resolution should be adopted *granting such use for a period of two (2) years under section 7-H, when the buildings now on the premises are entirely demolished,* provided demolition is promptly completed and that pending such demolition, this application is placed on the Reserve Calendar."

and

WHEREAS, since the resolution was adopted by the board on June 14, 1938, the buildings on the plot have been entirely removed and the plot has been levelled.

Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulation of the building zone resolution and that the application be and it hereby is *granted,* under section 7-H, *for a period of two (2) years* from the date of this action, to permit the premises under appeal to be used for the parking and storage of more than five (5) motor vehicles, *on condition* that such motor vehicles shall be only of the pleasure-car type; that the plot shall be levelled substantially to the grade of adjoining streets and shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and treated with a binder so as to prevent dusting; that there shall be erected on interior lot lines and the street lines, a substantial woven-wire fence, 6 ft. in height, except where walls of abutting buildings occur and except for an entrance to West 36th street, not over 25 ft. in width, and two (2) entrances of similar width to West 35th street; that during the term of this variance, the premises shall be used for no other use and no building shall be erected thereon, except there may be erected a frame or masonry office or shelter for attendant, not over one story in height and not over 150 sq. ft. in area; that advertising and signs shall be restricted to one sign on each street, attached to the fence, not over 15 sq. ft. in area, advertising the parking and storage use, excluding signs extending over building line and any signs attached to or painted on walls of adjoining buildings; that proper aisle space shall be maintained at all times for easy entrance and exit; that lights for illumination shall be so installed as to reflect away from adjoining occupancies, toward the centre of the lot; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; and that all permits shall be obtained and all work shall be completed within two months from the date of this action.

58-36-BZ.

APPLICANT—Gustave Lindell, for Kew Club Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district the storage and parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—83-26 Austin street, south side, 180 ft. east of Lefferts boulevard (Block No. 3338, part of Lot No. 25), Kew Gardens, Borough of Queens.

APPEARANCES—

For Applicant: Francis Finkelhor.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(158-36-BZ)

WHEREAS, Gustave Lindell (lessee), for Kew Club Realty Corporation, owner, led, May 29, 1936, an application under the building zone resolution to permit in a business use district the storage and parking of more than five (5) motor vehicles; premises: 83-26 Austin street, south side, 180 ft. east of Lefferts boulevard (Block No. 3338, part of Lot No. 25), Kew Gardens, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 24, 1936, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Austin street is business; Lefferts boulevard is business and residence use; Cuthbert place is residence and business; and

WHEREAS, the decision of the commissioner of buildings, rendered May 4, 1936, reads:

"Your application for certificate of occupancy for a parking space on the premises S/S Austin street, 180 ft. E. Lefferts boulevard is hereby denied as being contrary to subdivision b, section 4, of the zone resolution, as amended June 28, 1935.

Appeal, however, may be made to the Board of Standards and Appeals."

Order of the commissioner of buildings, dated April 29, 1936, reads:

(Viol. 38-1936)

"You will please take notice that there exists a violation of the building code at the premises hereinafter described, in that Parking More Than Five Cars—Contrary to Amended Zone Law. You are therefore ordered and directed by me to stop all work in connection with this operation until the law has been complied with.

The building and premises to which this notice refers are situated on the front of the lot on the south side of Austin street commencing about 180 ft. from the east corner of Lefferts boulevard and known as Number ..., said lot being 100 x 100, and occupied or intended to be occupied as an open air parking space and located in the Borough of Queens, in the city of New York."

and

WHEREAS, the premises (part of a larger parcel of property under same ownership) consist of a plot of ground having a frontage of 150 ft. and depth of 84 ft.; on which it is proposed to use the plot for the storage and parking of more than five motor vehicles for a temporary period of two (2) years; and

WHEREAS, the premises in question were the subject of an inspection by a committee of the board, which committee recommends that the application be granted under section 7-H of the building zone resolution for a temporary period of two years, subject to certain conditions; and

WHEREAS, the board deemed that applicant had substantiated the basis of his application under section 7, subdivision H of the building zone resolution; and

WHEREAS, this application was granted by the board, November 24, 1936, on certain conditions and applicant requested an extension of the temporary period for an additional two years.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-H thereof, for a period of two years from the date of this amended resolution, to permit the premises under appeal to be used for the parking of more than five (5) motor vehicles of the pleasure-car type, *on condition* that the premises shall be leveled; that the cars parked shall at all times be so arranged that aisles of sufficient width for access to all cars are preserved; that no parking of cars shall be within the bed of Austin street; that along the interior lot lines substantial barricades shall be maintained

to keep the cars within the lot area; that no cars shall be parked within 10 ft. of the rear wall of the theatre to the north; that an attendant shall be maintained on the premises at all times while cars are being parked; that during the term of this variance, the premises shall be used for no other purpose except as herein permitted; that no building shall be erected on the premises, except that a small frame shelter for the attendant may be erected, provided that same is not more than 10 ft. square; that such portable fire appliances shall be installed and maintained on the premises as the commissioner may direct; that any lights erected for general illumination shall be equipped with metallic reflectors so as to reflect light downwardly.

APPEALS FROM ADMINISTRATIVE ORDERS

677-38-A.

APPLICANT—Hercules Liquor Products Corporation, lessee.

SUBJECT—Appeal from an order of the Fire Commissioner.

PREMISES AFFECTED—52 Sands street, northeast corner of Adams street (Block No. 66, Lot No. 7), Borough of Brooklyn.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Laid over to October 4, 1938, at 2 p.m., on request of applicant.

786-38-A.

APPLICANT—Arnold W. Lederer, for Morris Shenker, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1062 (1058 displayed) 55th street, south side, 184 ft. 8 in. west of 11th avenue (Block No. 5681, Lot No. 26), Borough of Brooklyn.

APPEARANCES—
For Applicant: A. W. Lederer.

ACTION OF BOARD—Laid over to October 4, 1938, at 2 p.m., upon request of the board, to permit the attendance of a representative of the Dept. of Housing and Buildings.

741-38-A.

APPLICANT—Agnes Heilbrunn, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—175-10 Hillside avenue, southeast corner of 175th street (Block No. 9834, Lot No. 10), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Joseph Heilbrunn.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(741-38-A)

WHEREAS, Agnes Heilbrunn, owner, filed August 25, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises 175-10 Hillside avenue, southeast corner of 175th street (Block No. 9834, Lot No. 10), Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated August 17, 1938, on Alteration Application 5865-38, reads:

"The use of a frame building in the fire limits for business purposes is prohibited by the building code."

and

WHEREAS, the building is 2½ stories, (32 ft.) in height, 50 ft. 6 in. by 20 ft. in area, of frame construction located in a business use "C" area district, erected in 1919 and occupied as follows: Cellar, storage, no persons; 1st floor, tearoom, 45 persons; 2nd floor, dwelling, 2 persons; and

WHEREAS, the applicant contends that this building has been occupied for 18 years as a dwelling and it is now necessary to lease same for the proposed use, to avoid foreclosure; that it is proposed to fire retard the cellar ceiling with plaster boards; to enclose the cellar stairs with 8 in. cement blocks and install a sheet metal covered door at the foot of stairs and retain present hard-wood door at the head of stairs; that the reason why certificate of occupancy has not been issued is that it never was applied for, and that the building was completed in accordance with the Plan 4004-1919.

Resolved, that the decision of the borough superintendent, acting on Alteration Application 5865-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* to permit the existing frame building within the fire limits, to be used for a limited business purpose on the street floor only, as a restaurant and tearoom, *on condition* that the cellar ceiling shall be fire-retarded with plaster boards or equivalent and that the cellar stairs shall be enclosed in fire-resisting partitions with a metal covered door at the foot of the stair; that the floor shall be reinforced, as may be required by the borough superintendent of buildings, to comply with the requirements of the business use; that this use shall continue only so long as the premises are under the existing ownership and for the purpose as herein set forth and not further extended; that all permits shall be obtained and all work completed within three months from the date of this resolution.

760-38-A.

APPLICANT—Jaros, Baum & Bolles, for Memorial Hospital, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—1245-1269 York avenue, west side from East 67th street to East 68th street (Block No. 1642, Lot Nos. 1-44), Borough of Manhattan.

APPEARANCES—
For Applicant: Alfred L. Jaros, Jr. and Joel I. Marder.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	
Negative	
Absent	

THE RESOLUTION—

(760-38-A)

WHEREAS, Jaros, Baum & Bolles, for Memorial Hospital, owner, filed August 31, 1938, an appeal from a decision of the fire commissioner, affecting premises 1245-1269 York avenue, west side, from East 67th street to East 68th street (Block No. 1642, Lot No. 1-44), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated August 18, 1938, reads:

"In reply to your letter of August 10, 1938, relative to whether a permit will be granted for the use of refrigerating apparatus containing from 8 to 20 pounds of Freon in the Laboratory spaces on the second floor of the Memorial Hospital, please be advised that the present refrigerating rules pertaining to the use

Freon, limit the use of more than 10 pounds for the above location."

and

WHEREAS, the proposed building will be 12 stories and pent house (149 ft. 6 in.) in height, 192 ft. by 333 ft. in area, of fireproof construction, equipped with a standpipe system, located in a business and unrestricted use district, to be occupied throughout as a hospital; and

WHEREAS, the applicant contends that the proposed unit conditioners are as follows:

(1) One unit, containing from 8 to 10 lbs. of Freon refrigerant, serving a Constant-Temperature Room and Balance Room, opening off of Biological Research Laboratory.

(2) One unit, containing from 15 to 20 lbs. of Freon refrigerant, serving X-ray Research Laboratory (testing new types of tubes, etc.).

(3) One unit, containing from 15 to 20 lbs. of Freon refrigerant serving a photometer room and fruit-fly room, opening off of General Laboratory.

Each unit includes water-cooled compressor, fan and motor, cooling-coils, etc.—all enclosed in metal casing; and is to serve solely for air-conditioning of the special room or rooms, on the second floor of the building, which floor is devoted entirely to research work and administration purposes. All of the rooms to be conditioned, open from other rooms which have ample ventilation to the outer air; and a considerable amount of mechanical ventilation is provided for the rooms in question, independent of any ducts connecting to other floors. Because of the low temperature requirements to be met in these rooms, and the space limitations imposed by the small floor areas and other equipment installed, it is impractical to install a multiple number of units each containing 10 lbs. or less, as from three to five such units would be required to do the same conditioning work as the single unit containing from 15 to 20 lbs. of Freon.

Resolved, that the decision of the fire commissioner, dated August 18, 1938, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than four (4) refrigerating units shall be installed and not more than a total of seventy-five (75) pounds of Freon shall be used, with no unit requiring more than twenty (20) pounds; and, *granted* only so long as this refrigeration is maintained on the second floor of the building and such floor is devoted entirely to research work and administration purposes in connection with the Memorial Hospital; and that in all other respects, the installation and operation shall comply with all laws, rules and regulations applicable thereto.

767-38-A.

APPLICANT—American Can Company, owner.

SUBJECT—Appeal from an order of the acting borough superintendent of buildings.

PREMISES AFFECTED—10-24 Dwight street, 5-21 Delevan street and 1-19 Verona street (Block No. 523, Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. M. Didriksen.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(767-38-A)

WHEREAS, American Can Company, owner, filed on September 1, 1938, an appeal from an order of the acting borough superintendent of buildings, affecting premises 10-24 Dwight street, 5-21 Delavan street and 1-19 Verona street (Block No. 523, Lot No. 18), Borough of Brooklyn; and

WHEREAS, the order of the acting borough superintendent, No. 4004-38, dated August 3, 1938, reads:

"You will please take notice that there exists a violation of the building code at the premises hereinafter described, in that

Fireproof doors to stairway on Verona street side are kept open; in same opening, wooden doors, plain glass, have been erected and open inwardly. Street exit doors on Delavan street side are locked in violation of Art. 6.2.2 and 6.2.4 of the building code and C26-284.0 and 286.0 of administrative code, also in violation of Labor Law, Sec. 267 and 270, 272, 273. . . .

You are required to remove wooden doors to stairways and provide closing devices to maintain fireproof doors in a closed condition and to comply with the law."

and

WHEREAS, the building is 4 stories (60 ft.) in height, 200 ft. by 60 ft. in area, of fireproof construction; equipped with a standpipe and a sprinkler system; located in an unrestricted use district; erected in 1885 and occupied as follows: 1st floor—storage of machinery, 0 persons; 2nd floor—storage of machinery, 0 persons; 3rd floor—storage of machinery and stationery, 12 persons; 4th floor—plate engraving, 12 persons; and

WHEREAS, the applicant contends that all of the exit doors are equipped with panic bolts; to maintain these doors in an unlocked condition from the outside, would be imposing a hardship, in asmuch as it would require the placing of a watchman at each door opening to prevent thieving; that a very small portion of the building is occupied for other than warehouse purposes, and that the occupancy is low in number.

Resolved, that the order of the acting borough superintendent, No. 4004-38, be and it hereby is *modified* and that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law and the building code, and that the appeal be and it hereby is *granted on condition* that all exit doors shall open outwardly and shall be equipped with approved panic bolts; that any wooden doors opening inwardly at exits, shall be removed; that in all other respects the building shall comply with all laws, rules and regulations applicable thereto as modified by the Board of Standards and Appeals under Cal. No. 677-24-A.

775-38-A.

APPLICANT—T. R. Galloway, for New York and Queens Electric Light and Power Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—41-28 to 41-34 29th street, west side, 63.20 ft. north of Bridge Plaza North (Block No. 417, Lot Nos. 1 and 2), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: T. R. Ellenberg and Robert Schmidt.

For Administration: Charles Tilgner, Dept. of Education.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(775-38-A)

WHEREAS, T. R. Galloway, for New York & Queens Electric Light & Power Company, owner, filed on September 7, 1938, an appeal from a decision of the borough

superintendent of buildings, affecting premises 41-28 to 41-34 29th street, west side, 63.20 north of Bridge Plaza North (Block No. 417, Lot Nos. 1 and 2), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, Corr., 1480-38, dated September 1, 1938, reads:

"With reference to your application for Certificate of Occupancy for parking and storage of motor vehicles in the rear yard of your office building at the above premises, I wish to advise you that this office must deny such application as contrary to Art. 21 of the Building Zone Resolution.

"However, the Board of Standards and Appeals has the power to grant, if they see fit, variations from the Building Zone Resolution and you can, if you so desire, appeal the decision to them and request variation."

and

WHEREAS, the premises consist of a plot of ground 88.57 ft. by 110 ft. in area; located in an unrestricted use district and occupied for the parking and storage of more than five motor vehicles; and

WHEREAS, the applicant contends that the parking space is for Company-owned motor vehicles operated by employees and for other motor vehicles owned by individuals and corporations doing business at the company's buildings adjacent to the parking area; that the parking area is entirely enclosed, having on the south and west sides, the walls of adjacent buildings, on the east side, a woven-wire fence and the wall of the adjacent building; that the surface of the area is of rolled cinders graded to meet the existing street grade in 29th street; that the fence on the 29th street side of the area is provided with two gates, one for the use of pedestrians and the other for the entrance and exit of vehicles; that the vehicular gate is provided with a concrete apron and suitable curb returns for the movement of vehicles in and out of the area; that the motor vehicles are parked in a formation necessary to maintain proper aisles at all times to permit easy entrance to and exit from the area; that the premises is under the supervision of a building superintendent, whose office is in the adjacent office building; that the premises in question has been used as a parking space by occupants of the office building and by employees and other individuals having business at the building since 1919, when the building was erected; no revenue is derived from the use of this parking space and it is not open to the public; that the denial of our application to the Department of Housing and Buildings is based on the existence of a temporary annex to Bryant High School, which annex was established in the early part of the year 1938 on the 4th and 5th floors of the office building located at 41-15 29th street; that the entrance to this building is located on the opposite side of 29th street, approximately 205 ft. north of the entrance to the proposed parking area; that to deny the use of this yard as a parking space, would impose undue hardship on occupants of the building and company employees who now use this space, by compelling them to park motor vehicles in the adjacent city streets, in an area which is very congested at all times during business hours; that this condition is shown on the photographs filed with this appeal, which show typical conditions during business hours; that the Annex to Bryant High School is a temporary expedient and since the entrance to this annex is located more than 200 ft. from the proposed parking area, applicant contends that sufficient basis exists for favorable consideration by your board; and

WHEREAS, in the opinion of the board, the private parking involved, which has been continuous for many years prior to the temporary use of space in the office building for school purposes, should not be interrupted because of a technical application of the provisions of section 21 and which would cause serious inconvenience to the Company.

Resolved, that the decision of the borough superintendent, dated September 1, 1938, relative to Corr. 1480-38, refusing a certificate of occupancy, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the premises under appeal shall be used for no other purpose than as a parking area for more than five (5) motor vehicles, for employees of the New York and Queens Electric Light and Power Company and visitors, and so long as conditions as described, are maintained; that there shall be no fee charged for the use of these premises and no overnight storage of cars permitted; and that all permits required shall be obtained within thirty days from the date of this action..

791-38-A.

APPLICANT—Leon N. Gillette, for 10 East 57th Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—8-10 East 57th street, south side, 195 ft. west of Madison avenue and 11 East 56th street (Block No. 1292, Lot Nos. 9, 64 and 65), Borough of Manhattan.

APPEARANCES—

For Applicant: James E. Craig.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(791-38-A)

WHEREAS, Leon N. Gillette for 10 East 57th Street Corporation, owner, filed on September 13, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises 8-10 East 57th street, south side, 195 ft. west of Madison avenue and 11 East 56 street (Block 1292 Lot Nos. 9, 64 and 65), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on N.B. Application No. 115-38, dated August 17, 1938 reads:

"15. Standpipe required. Article 16, Building Code."

and

WHEREAS, the building will be 6 stories (76 ft. 3 in.) in height, 50 ft. by 200 ft. in area; of fireproof Class No. construction, equipped with a sprinkler system, located in a restricted retail use district and occupied as follows: Cellar—fur storage, 5 persons; 1st floor—fur storage, 3 persons; 2nd floor—showroom, 30 persons; 3rd floor—offices, 30 persons; 4th floor—offices, 30 persons; 5th floor—workrooms, 40 persons; 6th floor—workrooms, 60 persons; penthouse—rest room and cleaning room, 10 persons; and

WHEREAS, the applicant contends that the building runs through from 56th street to 57th street, the level on 56th street being 2 ft. 4 in. higher than the level on 57th street the building consists of a six-story portion on 57 street stepping down to four and two stories on 56th street and in calculating the allowable height, the roof beams were placed 75 ft. 0 in. above the mean average of the two street levels; that the building department requires standpipe because of the extra 15 ft. in height on 57th street beyond the 75 ft. 0 in. limit; that the building will be provided with an approved automatic sprinkler system, with both gravity and pressure tanks as sources of supply, installed in all spaces, including the entire basement and pent house with Siamese Fire Department hose connections on both 56th street and 57th street.

Resolved, that the decision of the borough superintendent acting on N.B. Application No. 115-38, Item 15, be and it hereby is *modified* and that the appeal be and it hereby

granted on condition that the building shall not be increased in height beyond that shown in this appeal and that the building shall be equipped with a sprinkler system, as proposed.

793-38-A.

APPLICANT—Julius Eckmann, for Batten, Barton, Durstine and Osborn, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—379-383 Madison avenue and 41-47 East 46th street, northeast corner and 88 Vanderbilt avenue (10th floor); (Block No. 1282, Lot No. 21), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius Eckmann and R. A. Dorman.

For Administration: Fred Dahlem, Dept. of Housing and Buildings; Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(793-38-A)

WHEREAS, Julius Eckmann, for Batten, Barton, Durstine and Osborn, Inc., lessee, filed, September 9, 1938, an appeal from an order of the fire commissioner and a decision of the borough superintendent of buildings, affecting premises 379-383 Madison avenue and 41-47 East 46th street, northeast corner, and 88 Vanderbilt avenue (10th floor); (Block No. 1282, Lot No. 21), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner No. 13839-C, dated July 29, 1938, reads:

"Referring to your application for a permit to conduct a screening and projection room in the building 383 Madison avenue, Manhattan, you are hereby notified that such a permit cannot be granted for the following principal reasons:

A—Building is occupied as a dwelling. Sec. C19-110.0 and C19-117.0.2.

B—Projection booth not approved by the Department of Housing and Buildings. Sec. C19-119.0.7.

C—Booth not properly vented to the outer air. Sec. C19-119.0.

D—Not sufficient number of exits from booth. Sec. C19-119.0.7.

YOU ARE THEREFORE HEREBY ORDERED TO

1. Discontinue a screening or projection room in the building, 383 Madison avenue, Manhattan."

and

WHEREAS, the decision of the borough superintendent, Department of Housing and Buildings on Fire Prevention Application No. 514-1938, dated September 6, 1938, reads:

"1. Order of Fire Department No. 13839-L.C. must be complied with.

a. Order recites building in use as a dwelling.

c. Booth not properly vented to outer air.

d. Not sufficient number of exits from booth."

and

WHEREAS, the building is 13 stories, and pent house (160 ft. in height, 100.5 by 215.8 ft. in area, of fireproof construction, equipped with a standpipe system and a two tree sprinkler system, erected in 1922 and located in a restricted retail district, occupied throughout for showrooms and offices with stores on the first floor, for which Certificate of Occupancy No. 18343 was issued April 15, 1932; and

WHEREAS, the applicant contends that the motion picture booth in question is for the purpose of advertising sales display on the 10th floor; that there will usually be one operator in the booth, but never more than two; that the construction of this booth was originally approved by the Department of Housing and Buildings, under B.N. 2067-1938, based upon the limited, occasional, and private use; that on the pent house story there is an apartment for the superintendent; that in view of the fireproof construction, the 100% sprinkler system throughout the premises, and the occupied apartment on the pent house story, comprising about one-half of one percent of the total volume of the building, it appears reasonable to request that the premises be considered as a business building and not as a dwelling.

Resolved, that the order of the fire commissioner, No. 13839-L.C. and the decision of the borough superintendent Fire Prevention Application No. 514-1938, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the building shall not be used for residence purposes other than the existing pent house; that the projection booth shall in every respect comply with the requirements therefor as approved by the Department of Buildings under Building Notice No. 2067-38, except that there shall be installed, a metal or masonry duct from the rear of the projection room to the Vanderbilt avenue line or to the fire stair court and equipped with an exhaust fan and *granted* only so long as this projection room is used by the present tenant for the purpose set forth in this appeal.

809-38-A.

APPLICANT—Eric Kebbon, for Board of Education, City of New York, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—36-64 Bedford avenue, northwest corner of North 14th street (Block No. 2670, part of Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: E. P. O'Connor and Charles Tilgner.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(809-38-A)

WHEREAS, Eric Kebbon, for Board of Education, City of New York, owner, filed September 22, 1938, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 36-64 Bedford avenue, northwest corner of North 14th street (Block No. 2670, part of Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated September 7, 1938, on Application No. 12030-38, reads:

"1. The storage of gasoline and of motor vehicles in connection with a public school, not acceptable to Fire Commissioner. C 19-60.0, C 19-65.0, Paragraph 5 and C 19-11.0."

and

WHEREAS, the building is three stories and basement, (52 ft. 6 in.) in height, 393 ft. 8 in. by 213 ft. 10 in. in area, of fireproof construction, equipped in part with a sprinkler system, located in a residence use, "C" area district, erected in 1938 and occupied throughout for an Automotive Vocational High School; and

WHEREAS, the applicant contends that there will be a number of automobiles in the building, and in order to provide the proper instruction, it will be necessary to use gasoline on the premises, that it is proposed to use three 50 gallon portable tanks, one on each floor, which will be

filled with gasoline from a 500 gallon buried storage tank outside of building, that these portable tanks will be under strict supervision and control, and will supply the one or two quart safety cans to be used for the operation of the automobiles within the building; that it would be absolutely impossible to operate this school without the use of gasoline within the building.

Resolved, that the decision of the borough superintendent, acting on App. No. 12030-38, Item 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the installation of the storage tank for not over 550 gallons of gasoline, shall be located generally as indicated in this appeal and shall comply with all the requirements relating thereto; that there shall be not more than three 50 gallon portable tanks, one on each floor, such tanks to be complete with pump as approved by the National Board of Fire Underwriters; that there shall be not more than one such portable tank on each of the floors; and, waiving the requirements of section C-19-60.0, paragraph 5, Administrative Code, *on condition* that the jurisdiction of the gasoline supply shall at all times be under the supervision of an instructor; that the portion of the building used as an automobile repair laboratory shall be protected with a sprinkler system.

823-38-A.

APPLICANT—Herbert Lippman, for 2235 Second Avenue Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2235 Second avenue, west side, 75 ft. south of East 115th street (Block No. 1664, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Herbert Lippman.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(823-38-A)

WHEREAS, Herbert Lippman, for 2235 Second Avenue Corporation, owner, filed September 26, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises 2235 Second avenue, west side, 75 ft. south of East 115th street (Block No. 1664, Lot No. 25), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alteration Application 2815-38, dated September 26, 1938, reads:

"This is considered a public building. Entire building should be of fireproof or fire protected construction.. (Sec. 4.2.1.)"

and

WHEREAS, the building is 5 stories and cellar (55 ft.) in height, 25 ft. 11 in. by 80 ft. in area, of non-fireproof construction, erected about 1870, located in a business use, "B" area district, formerly occupied as a tenement, but now vacant; it is proposed to remove the two upper stories and reconstruct the building into a 2 story and mezzanine structure and to occupy the building as: Cellar—storage and boiler room; 1st floor—stores, 10 persons; 2nd floor and mezzanine—dance hall, 200 persons, with coatroom and toilets on mezzanine floor; and

WHEREAS, the applicant contends that the required construction will be too costly to compare with the revenue derived from the alteration; and that all other provisions of the building code will be complied with.

Resolved, that the decision of the borough superintendent, acting on Alteration Application 2815-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building, as altered, shall not exceed 35 ft. in height, nor more than two stories and partial mezzanine, all substantially as indicated on filed plans with this appeal and that the ceiling of the first story shall be plastered throughout with wire lath and cement plaster; and that in all other respects the building shall comply with all laws, rules and regulations applicable thereto.

273-37-A.

APPLICANT—Starrett & Van Vleck, for F. W. Woolworth Company, lessee.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the commissioner of buildings.

PREMISES AFFECTED—445 Fifth avenue and 1-3 East 39th street, northeast corner (Block No. 869, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....

Negative .....

Absent .....

THE RESOLUTION—

(273-37-A)

WHEREAS, Starrett & Van Vleck, for F. W. Woolworth Co., lessee, filed on June 8, 1937, an appeal from a decision of the commissioner of buildings affecting premises 445 Fifth avenue and 1-3 East 39th street, northeast corner (Block No. 869, Lot No. 1), Borough of Manhattan; and

WHEREAS, the decision of the commissioner of building on N. B. App. No. 96-37, dated May 25, 1937, reads as follows:

"3. Cellar egress is inadequate. All stairs from cellar should be enclosed in fireproof partitions and lead directly to street."

and

WHEREAS, the proposed building will be of fireproof construction, 5 stories (85 ft.) in height, 84 ft. 6 in. by 152 ft. in area, equipped with a standpipe and sprinkler system, located in a retail use district, "B" area, 1¼ and 2 time height district; to be occupied as follows: Cellar—sales space, 405 persons; 1st floor—sales space, 320 persons; 2nd floor—sales space, 295 persons; 3rd floor—kitchen and stock room, 45 persons; 4th floor—stock room, 6 persons; 5th floor—stock room, 6 persons; and

WHEREAS, applicant contends that the entire cellar is a sales room, containing 15,364 sq. ft. and is served by four remotely placed stairways; that there is provided adequate means of egress from the cellar by the four stairs; two of these stairways are enclosed and have a rated capacity of 356 persons, computed on the basis of the New York City building code, article 8, section 153, sub-paragraph 3, that these two stairways lead directly to the street; that the other two stairways are referred to on the drawings as Stairs No. 3 and Stairs No. 4, and are monumental open stairs, leading to street through sales area. Stairs No. 3 has a varying width from 8 ft. 0 in. to 15 ft. 0 in. Stairs No. 4 has a total width of 10 ft. 10 in.; computed on the basis of enclosed stairs, the capacity of these stairs would be 464 persons, which addition to the 356 persons accommodated by the enclosed stairs, gives a total capacity of 820 persons; both of these stairways have intermediate hand-rails; and

WHEREAS, this appeal was granted by the board June 1937, on certain conditions and applicant requested

mendment of the resolution as to operation of the shutter. *Resolved*, that the decision of the commissioner of buildgs, in acting on N.B. Applic. No. 96-37, item No. 3, be id it hereby is *modified*, and that the appeal be and it reby is *granted*, permitting the arrangement of exit and en stairs, as indicated on plans filed with this appeal, condition that the building shall be occupied by one nant, shall be of fireproof construction throughout and otected with a two-source sprinkler system complying th the rules of the Board of Standards and Appeals; at there shall be constructed exit doors with a total efctive width of not less than five feet in the exterior wall ding to 39th street from the landing platform on the eet floor between the stairways leading to the cellar and cond floor; that there shall be constructed steel baffle tes extending not less than 24 inches from the ceiling ound the stairwells on the basement and first story, this rangement applying as well to Stair No. 4, located at the sterly end of the building; that if escalators are conructed to run from the 1st floor to the 2nd floor, roller utter enclosures shall be installed at top of guard railg at the 2nd floor, and arranged to be manually operated means of permanently attached chains *or permanently ached crank, arranged to fold when not in use into rtition, in accordance with the sample installation inlled for the board's inspection, so that the shutter can readily closed in the event of fire or smoke; that there ll be a mark, in red paint, on the shutter to indicate en the shutter rail has reached the floor line in the closed sition;* that operators shall be trained to close such shuts immediately upon receiving bell signal, which signal ll be located on the first floor and cellar floor.

VARIATION OF LABOR LAW

-38-S.

PLICANT—Leon N. Gillette, for 10 East 57th Street Corporation, owner.

BJECT—Variation of the labor law as cited in a decision of the borough superintendent of buildings.

EMISES AFFECTED—8-10 East 57th street, south side, 195 ft. west of Madison avenue and 11 East 56th street (Block No. 1292, Lot Nos. 9, 64 and 65), Borough of Manhattan.

PEARANCES—

For Applicant: James E. Craig.

For Administration: Fred Dahlem, Dept. of Housing and Buildings.

TION OF BOARD—Application granted on condition.

E VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

E RESOLUTION—

(790-38-S)

HEREAS, Leon N. Gillette, for 10 East 57th Street Coration, owner, filed on September 13, 1938 an applica for a variation from the requirements of the labor as cited in decision of the borough superintendent, cting premises 8-10 East 57th street, south side, 195 vest of Madison avenue, and 11 East 56th street (Block 1292, Lot Nos. 9, 64 and 65), Borough of Manhattan;

HEREAS, the decision of the borough superintendent N.B. App. No. 115-38, dated August 17, 1938, reads:

"3. Comply with section 264 Labor Law and Rule 503 Industrial Code for exterior windows, protection of openings in walls."

HEREAS, the proposed building will be 6 stories (76 ft. in height, 50 ft. by 200 ft. in area; of fireproof Class 1 construction; equipped with a sprinkler system; lo-1 in a restricted retail use district and occupied as follows: Cellar—fur storage, 5 persons; 1st floor—fur storage, 30 persons; 2nd floor—showroom, 30 persons; 3rd floor—offices, 30 persons; 4th floor—offices, 30 persons; 5th floor—workrooms, 40 persons; 6th floor—workrooms, 60 persons; penthouse—rest room and cleaning room, 10 persons; and

WHEREAS, applicant contends that the 56th street portion of the building is only two stories in height and will be used exclusively as a store and showroom; that the 57th street portion of the building is six stories in height, but only the upper floors comprising 25% of the total area of the building, will be given over to manufacturing incidental to a retail fur business conducted under the same ownership; that the third and fourth floors will be occupied as offices; that all windows in the building above the fourth story will be in conformity with the labor law; that the building will be equipped throughout, including basement and pent-house, with an automatic sprinkler system with both gravity and pressure systems as sources of supply.

Resolved, that the Board of Standards and Appeals does hereby *make* a variation from the requirements of the labor law as to section 264 thereof, and that the application be and it hereby is *granted* as to N. B. App. No. 115-38, Item 3, *on condition* that all exterior windows on all fronts other than the windows on the 1st, 2nd, 3rd and 4th floors on the East 57th and East 56th street fronts shall comply with the requirements of the labor law, *provided* that such windows as are herein excepted shall have fireproof frames and sash and shall be glazed with plate glass and that the building shall be protected with a two-source sprinkler system throughout.

APPLIANCES SUBMITTED FOR APPROVAL

297-23-SA.

APPLICANT—Automatic Sprinkler Company of America, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar, previously withdrawn—re Automatic Deluge Valve, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and referred to engineer of the board for test and report.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

734-38-SA.

APPLICANT—Charles W. Moore, owner.

SUBJECT—Moore Water Closet Floor Flange and Gasket, approval of.

APPEARANCES—

For Applicant: Charles W. Moore.

ACTION OF BOARD—Appliance approved, in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(734-38-SA)

WHEREAS, Charles W. Moore, owner, filed August 23, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Moore Water Closet Floor Flange and Gasket; and

WHEREAS, this device was submitted to the committee on tests for report; and

MINUTES

WHEREAS, the report of the committee on tests reads as follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 734-38-SA.

Approval off: Moore Water Closet Floor Flange and Gasket.

This device consists of a cast brass flange which is bolted to the fixture with a recess in the flange in which is placed a grease saturated felt gasket. The weight of the fixture and pressure of the bolt, compresses the gasket ⅓ and seals the joints completely by forcing out the grease around the joint. This device was accepted by the Bureau of Buildings, Manhattan, Rudolph P. Miller, superintendent, September 29, 1921, and by the Bureau of Buildings, Brooklyn, Albert E. Kleinert, superintendent, September 21, 1928. It is recommended that the Moore Water Closet Floor Flange and Gasket be approved for use in New York City, as complying with the provisions section (14.4.9 BC) C 26-1250.0 of the Administrative Code, on condition that the device bear a label reading "Approved by the Board of Standards and Appeals for Use in New York City, under Cal. No. 734-38-SA."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Moore Water Closet Floor Flange and Gasket, when installed and labeled in accordance with above report.

MATERIALS SUBMITTED FOR APPROVAL

136-38-SM.

APPLICANT—Gypsum Association, owner.

SUBJECT—Application for consideration—reopening and amendment of report of the Committee on Tests—re Perforated Gypsum Lath.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and report of committee amended.

THE VOTE TO REOPEN AND AMEND REPORT OF COMMITTEE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(136-38-SM)

WHEREAS, the Gypsum Association, owner, filed March 4, 1938, an application with the Board of Standards and Appeals for approval of their material known as Perforated Gypsum Lath; and

WHEREAS, this material was referred to a committee of the board for investigation; and

WHEREAS, this material was approved by the board on June 21, 1938 and applicant requested an amendment to the report of the Committee on Tests; and

WHEREAS, the report of the committee, after having been amended by the board on September 27, 1938, was as follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 136-38-SM

Perforated Gypsum Lath.

The Gypsum Association filed on March 4, 1938, a request for the approval of Perforated Gypsum Lath as manufactured by its member companies, viz.: The Kelley Plasterboard Co., United States Gypsum Co., American Gypsum Co., National Gypsum Co., Certain Teed Products Corp., H. W. Bell Co. and the Ebsary Gypsum Co. These companies make the same product known as Perforated Gypsum Lath, under a common specification. Approval is requested in accordance with the various provisions of the Administrative Code and the Multiple Dwelling Law, as stated in their application and hereinafter covered.

This Perforated Lath was submitted to tests by the U. S. Bureau of Standards in weights of 13.5# per sq. yd. with perforated holes of ⅝, ¾ and ⅞ inches in diameter. These tests were performed on November 30, 1936, and on tests by U. S. Bureau of Standards, 16 and 17 on ¾ inch perforated board, no date given. The test in all cases conforms with the Time-Temperature Curve C26-579.0 A.C. 10.1.5.1 BC and in all cases the requirements of the Fire and hose stream tests C26-586.0 A.C. 10.1.9 BC were met by the Perforated Lath with ¾ and ⅞ inch perforations for the rating 1 hr. combustible. The ⅝ inch perforated lath failed to meet the requirements for this rating.

This material is a standard plaster board, not less than ⅜ inch in thickness and weighing not less than 13.5# per sq. yd. and perforated with holes not less than ¾ inches in diameter and approximately 4 inches on center in the least dimension.

On the basis of these tests, it is concluded that a complete partition of wood studs covered on both sides, with ⅜ inch perforated gypsum lath weighing 13.5 lbs. per sq. yd. covered with 1.2 sanded gypsum plaster, the scratch, the brown and finish coats totalling ½ inch in thickness may be approved as a fireproof partition of other material or form of construction having a fire resistive rating of one hour as specified in C26-636.0 Administrative Code (10.4.3.1. BC).

Approval is also recommended for use of perforated gypsum lath as a plasterboard, the use of which is specified under C26-462.0 Administrative Code (8.4.10.6 BC) when not less than ⅜ inch thick weighing 13.5 lbs. per sq. yd. and installed in accordance with the requirements of this section and for resistive ceiling under C26-669.0 (10.11 BC) and also as a substitute for wood lath under Sec. C26-458.0 Administrative Code (8.4.10.2 BC) when installed in accordance with requirements C26-462.0 (8.4.10.6 BC).

Approval is also recommended for use of perforated gypsum lath with ½ inch sanded gypsum plaster under Art. 1, Sect. 4, par. 11 of the Multiple Dwelling Law when installed as a complete partition both sides covered with ⅜ inch perforated gypsum lath and ½ inch of sanded plaster, and approval is further recommended for use under 1.2.2. of the rules and regulations of the Tenement House Department issued June, 1937, in accordance with the recommendation of the Bureau of Standards to the Tenement House Department, later filed with this case and dated 9/20/34.

Wherever the perforated gypsum lath plaster board is used and the surface plastered, the plaster shall be firmly pressed into the perforations, so that a proper key is obtained between the lath and plaster. The Perforated Gypsum Lath when used in New York City shall *have each individual perforated lath or bundle of six laths,* labelled or marked "Approved by Board of Standards and Appeals Cal. No. 136-38-SM."

(Sgd.) BERNARD A SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Perforated Gypsum Lath, when manufactured and used in accordance with above report, *on condition* that the material shall be marked or labeled "Approved by the Board of Standards and Appeals Cal. No. 136-38-SM."

714-38-SM.

APPLICANT—George Gallico, for Reynolds Metal Company, owner.

MINUTES

SUBJECT—Reynolds Ecod Welded Wire Fabric—Approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved, in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(714-38-SM)

WHEREAS, George Gallico, for the Reynolds Metal Company, owner, filed August 11, 1938, an application with the Board of Standards and Appeals for approval of the material known as Reynolds Ecod Welded Wire Fabric; and

WHEREAS, this material was submitted to the committee of the board on tests; and

WHEREAS, the report of the committee on tests reads as follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 714-38-SM.

Subject: Reynolds Ecod Welded Fire Fabric.

September 17, 1938.

The Reynolds Metal Co. of New York filed with the board a request for the approval of their material known as Reynolds Ecod Welded Wire Fabric for use as a plaster base under such sections of the Administrative Code as hereinafter specified.

Reynolds Ecod Welded Wire Fabric, more familiarly known as "Ecod Lath", consists of flame proofed paper (saline solution) on which are mounted steel V-shaped ribs welded to cross wires which are woven through the paper backing. The ribs from horizontal reinforcements and keys for plaster, the vertical wires also form keys for plaster. The paper consists of one ply Northern Kraft paper, .011" in thickness, and weighing 40#/1,000 sq. ft. The wire is #16 A.W.G. and is woven through the paper at intervals of approximately 2" and spaced parallel vertically at 1½" centers. The ribs consist of #26 U. S. Gauge ⅜" x 5/32" deep. These ribs are placed on one side between the paper backing and the wire and spaced at intervals of approximately 4" horizontally. All metal used in this material is copper bearing or galvanized. Ecod Lath is fastened to the studs with large head 4D nails through each rib at each stud. This material is finished in sheets 31" x 48¾", weighing approximately 2 pounds per sheet.

This material, in one form or another, has been in use in New York City with approvals as follows:

NOVEMBER 19, 1921

Approved by Rudolph P. Miller, superintendent of buildings, Manhattan, for ordinary partitions in nonfireproof buildings.

JUNE 10, 1922

Approved by Charles Brady, superintendent of buildings, Manhattan, for use as a base for stucco when applied over sheathing.

AUGUST 16, 1926

Approved by Charles Brady, superintendent of buildings, Manhattan, for use as a substitute for wood lath.

On December 13, 1934, this material was tested for bond by the Board of Buildings at Columbia University when its use as a substitute for wood lath was requested.

On April 21, 1936, a report of an Underwriters' Laboratory test #2510 was submitted to the Board of Buildings in which the Underwriters recommended the material as meeting their requirements as a one-hour fire partition. The partition tested was constructed of 2" x 4" studs 16 inches on centers, covered on both sides with non-treated metal Ecod fabric, overlapping ¼" at sides and ¾" at ends, plastered with ⅜" scratch, ¼" brown and ⅛" finish coat.

On August 6, 1936, a test of a panel was made at Columbia University for the purpose of meeting the requirements of a one-hour fire test. This test consisted of a 24" x 40" panel, constructed of 2" x 4" studs covered with Ecod copper bearing fabric, plastered with ¼" to ⅜" scratch coat, a ⅜" brown coat and a ⅛" finish coat on each side. The results of this test were reported by Columbia in their report #2426 as meeting the requirements of a one-hour fire test partition.

The Board of Standards and Appeals conducted a test at the applicant's plant at South Kearney, N. J., on September 16, 1938, for the purpose of investigating a typical method of applying Ecod lath and plaster to a partition, for bond and flame qualities of the paper, and the firmness of the keying of the plaster to this plaster base.

On the basis of the tests of the Board and of Columbia University and the Underwriters' Laboratories as heretofore mentioned, approval is recommended of a partition constructed of 2" x 4" wood studs not more than 16" on centers covered with galvanized or copper bearing Ecod metal fabric as herein described. The sheets of Ecod lath shall be laid up with broken joints, nailed to each stud at each rib with large head 4D nails with side lap ¼", end lap ¾", and plastered on both sides with gypsum or cement plaster to at least ¾" grounds, as meeting the requirements of C.26—636.0 subdiv. C. (B.C. 10.4.3.1), and further recommend its use as a substitute for combustible lath, C.26—458.0 (B.C. 8.4.10.2), wherever the use of combustible lath is permitted.

The committee recommends that the manufacturer perforate the horizontal reinforcing strips to facilitate nailing at each stud and protect the plaster key afforded by this horizontal strip at the nailing point, and that care should be exercised in binding all metal at corners.

The committee cannot make any recommendation for approval under C.26-460 A.C. (8.4.10.4 B.C.), as it is their opinion that Ecod lath does not meet the requirements of the code wherein it specifies "No. 16 Steel Wire gage, 2" mesh, galvanized welded wire fabric with integral backing and horizontal stiffening members spaced not more than 5" on centers, plastered on one side," whereas the Ecod lath if it can be considered as mesh, consists of #16 A.W.G. wire welded to ribs 26 U.S. Gauge with a spacing of 1½" x 4".

This material is shipped in packages or cartons containing 43 sheets or 50 yards. This material, when delivered for use in New York City, shall have each package or carton stamped, labelled or marked "Approved by the Board of Standards and Appeals, Cal. No. 714-38-SM".

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Reynolds Ecod Welded Wire Fabric, as a substitute for combustible lath, C. 26-458.0 (B.C. 8.4.10.2) and as meeting the requirements of C.26-636, subdiv. e (B.C. 10.4.3.1), when manufactured, installed and labelled in accordance with the above report.

735-38-SM.

APPLICANT—M. L. Khau, owner.

MINUTES

SUBJECT—Approval of the Yugoslavian Portland Cement, under the trade names of "Seven Castles" and "Temple" Brands.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved, in accordance with report of committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(735-38-SM)

WHEREAS, M. L. Khau, owner, filed August 19, 1938, an application with the Board of Standards and Appeals for approval of the material known as Yugoslavian Portland Cement, under the trade names of "Seven Castles" and "Temple"; and

WHEREAS, this material was submitted to the committee of the board on tests; and

WHEREAS, the report of the committee on tests reads as follows:

REPORT OF COMMITTEE ON TESTS

Re.: Cal. No. 735-38-SM

Subject: Approval of Yugoslavian Portland Cement, under trade names, "Seven Castles" and "Temple."

September 27, 1938

On August 19, 1938, M. S. Khau of New York City, filed with the board a request for the approval of foreign cement shipment consisting of 18,604 bags of "Temple" brand and 23,256 bags of "Seven Castles" brand, made in Yugoslavia. Samples of these materials were selected by a representative of the Board of Standards and Appelas and tests were conducted by the laboratory of the R. W. Hunt Co. of New York City. The results of these tests indicate that the physical and chemical analysis of these cements were well within the requirements of the A. S. T. M., including the test for fineness. The tensile strengths were as follows:

Average of Six Specimens	*7 days*	*28 days*
Temple brand	312 P.S.I.	410 P.S.I.
Seven Castles	322 P.S.I.	421 P.S.I.
A. S. T. M.....	275 P.S.I.	350 P.S.I.

Copies of the R. W. Hunt Co.'s tests on these cements are filed with the application. On the basis of this data, it is recommended that the foreign shipment of 18,604 bags of "Temple" Brand Portland Cement and 23,256 bags of "Seven Castles" Portland Cement, which arrived on the S. S. Birmania, be approved for use in New York City under C 26-312.0 c A.C. (7.1.-1.7.3) for use wherever the use of Portland cement is required, and that each bag be stamped, labelled or tagged "Approved for use in New York City by the Board of Standards and Appeals under Cal. No. 735-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Yugoslavian Portland Cement, "Seven Castles" and "Temple" brands, within the limitations and in accordance with the above report.

Adjourned, 4:25 P.M.

EDWARD V. BARTON, Chief Clerk.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendancy of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

Copies of the Official Directory of the City of New York for the year 1938 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

RULES GOVERNING THE INSTALLATION OF INTERIOR FIRE ALARM SIGNAL SYSTEMS, ADOPTED BY THE BOARD OF STANDARDS AND APPEALS, SEPTEMBER 27, 1917, AMENDED DECEMBER 6, 1917 AND FEBRUARY 7, 1918 AND REVISED DECEMBER 11, 1936.

[108-16-SR]

Rules for Interior Fire Alarm Signal Systems

Authority: Sections 718A and 718B of the Charter of the City of New York to carry into effect the provisions of Chapter XII, Section 20 of the Code of Ordinances and the provisions of Section 279 of the Labor Law.

Scope of Rules

These rules apply to all hotels, as defined in the Code of Ordinances and the Multiple Dwelling Law; to all lodging houses having more than 15 sleeping rooms, or accommodating more than 15 lodgers above the first or ground story; to all public and private hospitals and asylums having more than 15 rooms, or accommodating more than 15 patients or inmates above the first or ground story; to all nurseries accommodating more than 30 children, or having a Board of Health permit for the accommodation of more than 30 children; to all Turkish or other special treatment bath houses where there are sleeping accommodation for more than fifteen persons on the premises; to all department stores having two or more departments where the public is admitted above the second floor; to all public schools, and to all single and tenant factory buildings, as defined in the Labor Law and specifically required by Section 279 of said Law.

Law

Section 279. Fire Alarm Signal Systems and Fire Drills:

1. Fire alarm signal systems. Every factory building over two stories in height in which more than twenty-five persons are employed above the ground floor shall be equipped by the owner thereof with a fire alarm signal system having a sufficient number of signals clearly audible to all occupants of the building, and so arranged as to permit the sounding of all the alarms within the building whenever the alarm is sounded in any portion thereof. Such system shall be maintained in good working order and no person shall tamper with same or render ineffective any portion thereof except to repair it. A person discovering a fire shall cause an alarm to be sounded immediately. The board of standards and appeals in the city of New York, may make rules and regulations prescribing the number, character and location of the signals and the method and character of the installation, including that of all appliances in connection therewith.

3. Exceptions. Subdivisions one and two of this section shall not apply to a building in which every square foot of the floor area on all stories is protected with an automatic sprinkler system, having two adequate sources of water supply and approved by the public authorities having jurisdiction thereof, and in which also the maximum number of occupants of any one floor does not exceed by more than fifty percentum the capacity of the exits, as determined by subdivisions one, two and three of section two hundred and seventy-eight, in addition to the prescribed occupancy under subdivisions five, six and seven of said section. If the commissioner after investigation determines that the spirit of this chapter is observed and public safety secured, he may permit in place of the automatic sprinkler system before specified, an automatic sprinkler system having one adequate source of water supply and approved by the public authorities having jurisdiction thereof.

Chapter 12, Article 21, Sub-division 2.

Interior Fire Alarms:—In every hotel, lodging-house, public or private hospital or asylum, department store, and public school, there shall be placed and provided, when required by the fire commissioner, an adequate and reliable electrical or other interior alarm system, to be approved by the said commissioner, by means of which alarms of fire or other danger may be instantly communicated to every portion of the building. The fire alarm apparatus and all other appliances placed or kept within any of said buildings for the purpose of preventing or extinguishing fires, or for affording means of escape therefrom in case of fire, shall be kept at all times in good working order and proper condition for immediate use, and any member of the uniformed force or authorized representative of the Fire Department may enter any of the said buildings at any time, for the purpose of inspecting such apparatus or appliances. (Amended by ords. effective Sept. 18, 1917, and Jan. 7, 1918.)

Rule 1. Definition of Terms

1.1 The term "non-coded closed circuit fire alarm signal systems" shall mean a fire alarm signal system consisting of sending stations and signaling devices operated on supervised closed electric alternating current circuits, so arranged that the operation of any station will automatically sound the signaling devices throughout all portions of the building.

1.2 The term "coded closed circuit fire alarm signal systems" shall mean a fire alarm signal system consisting of sending stations and signaling devices operated on supervised closed electric circuits which transmits rounds of coded signals to indicate the floor or portion of the same from which the alarm was sent.

1.3 The term "heretofore" shall mean before December 31, 1936.

1.4 The term "hereafter" shall mean after December 31, 1936.

1.5 The term "approved" shall mean approved by the Board of Standards and Appeals.

1.6 The term "commissioner" shall mean the commissioner of the department specifically charged with the enforcement of law relating to interior fire alarm systems in the City of New York.*

*NOTE: At present the Commissioner of the Department of Buildings in each of the five boroughs enforces the law through their respective divisions of Fire Prevention by virtue of Chapter 764, Sec. 407, subdiv. 2, Greater New York Charter, as amended by the Laws of 1933.

Rule 2. General

2.1 All fire alarm signal systems and devices shall be approved by the Board of Standards and Appeals.

2.2 All devices and equipment that have been approved by the Board, shall have securely fastened thereon, a manufacturer's plate bearing the words "Approved by the Board of Standards and Appeals—No.....", together with any other electrical data that the Commissioner may require.

Rule 3. Examination and Approval of Plans

3.1 Before the installation or extension of any fire alarm system, specifications and plans thereof, showing complete details of the proposed installation, shall be submitted by the owner or his agent to the Commissioner for examination and approval.

Rule 4. Classification

4.1 Fire alarm signal systems shall be classified as follows:

(a) Non-coded closed circuit fire alarm systems.

(b) Coded closed circuit fire alarm systems.

4.1.1 The code numbers that are used shall be submitted for approval to the Commissioner and shall be sounded at least four (4) times for each operation of the sending station.

4.2 A non-coded closed circuit system shall be so arranged that the operation of any station will automatically sound the signaling devices until hook is restored to its original position; and in the break-glass type until the glass has been replaced.

4.3 Coded closed circuit systems shall be divided into three (3) classes:

Class 1—General Systems.

Class 2—Pre-signal or dual operation systems.

Class 3—Unit and general systems—or Duplex systems.

Special systems.

4.4 Class 1 system shall be a general alarm system of the coded closed circuit type so arranged that the operation of any station will cause the signaling devices to sound the code number of that station at least four (4) times throughout the entire building.

4.5 Class 2 system shall be a pre-signal or dual operation system of the coded closed circuit type so arranged that the operation of any station will cause the sounding of the signaling devices located in the engine room, elevator shafts, basement or other places in the building where the members of the fire brigade work or assemble.

4.5.1 Approved means shall be provided at each station, so arranged that a subsequent operation of any station shall cause the sounding of all signaling devices throughout the building.

4.5.2 This subsequent operation shall be performed with the aid of a key or plug designed so as to prevent unauthorized sounding of the general alarm.

4.5.3 The pre-signal or dual operation key or plug shall be so designed that it can be readily identified by the person whose duty it would be to use same.

4.6 Class 3 system shall be a unit and general alarm or Duplex system of the coded closed circuit type so arranged that the operation of a station within a unit will cause all of the signaling devices in that unit and all of the signaling devices on the general alarm circuit to sound the code numbers of the unit and zone at least four (4) times.

4.6.1 An approved register and time stamp may be used in connection with a Class 3 system when approved by the Commissioner.

4.6.2 The register, if of closed circuit type, shall be operated from a separate closed circuit control board or from separate panel isolated by barrier from main control panel in main control board cabinet.

4.6.3 Approved closed circuit trouble and unit annunciators shall be installed as part of all Class 3 systems when required by the Commissioner.

4.7 Special systems shall include a complete Class 1, 2 or 3 system supplemented by special circuits for the operation of other fire alarm devices in the systems; or electric control systems for stopping machinery, closing doors or ventilators as may be required by the Commissioner; or to call the central station of a private operating company or the fire department. Automatic fire detecting systems may be connected to operate an interior fire alarm system when connected thereto by an approved coded transmitter. In no case shall the transmitter be considered to replace the standard approved interior fire alarm station, except where a transmitter has been approved for both purposes. The special control circuits shall be separate and distinct from the fire alarm system but shall be brought into action whenever the fire alarm system is set in operation.

Rule 5. Systems Permitted in Factory and Other Buildings

5.1 Non-coded closed circuit fire alarm signal systems shall be permitted only in a factory building not exceeding five (5) stories in height having not more than twenty-five hundred (2500) square feet in area in any one story and having not more than one hundred (100) persons in a single factory; nor more than fifty (50) persons in a multiple tenant factory above the first or ground floor.

5.2 Coded closed circuit systems shall be required in a factory building exceeding the requirements of Rule 5.1.

5.3 Special fire alarm signal systems shall be permitted in factory buildings at the direction of the Commissioner.

5.4 Coded closed circuit systems shall be required in all other types of buildings requiring an interior alarm system.

Rule 6. Installation and Construction Requirements

6.1 All work in connection with the installation of a fire alarm signal system shall be performed in a neat and workmanlike manner to the satisfaction of the Commissioner.

6.2 In any fire alarm system there shall be not more than fourteen (14) direct nor more than ten (10) alternating current gongs or other approved sounding devices connected in one circuit.

6.3 There shall not be in any fire alarm system more than twenty (20) stations connected to one circuit or loop.

6.4 All gongs and signaling devices shall be located not less than eight (8) feet to the center above the floor.

6.5 All fire alarm stations shall be located five (5) feet three (3) inches from handle to floor.

6.6 An approved instruction card properly marked and framed under glass shall be installed at each fire alarm station.

6.7 All materials and devices used in fire alarm signal systems shall be securely fastened in position in a manner satisfactory to the Commissioner.

6.8 For fastening to masonry walls, through bolts, metal expansion shields or toggle bolts shall be used.

6.9 Wood screws shall be used for fastening equipment to wood surfaces.

6.10 The use of nails or wood or fibre plugs is prohibited.

6.11 When fire alarm apparatus is mounted upon a wooden back board, such back board shall be not less than seven-eighths (7/8) inch thick, impregnated with a non-absorptive compound. The ba

board shall be so mounted as to provide an air space of at least one-quarter (¼) inch between the back board and the wall for free circulation of air.

6.12 All electrical conductors shall be installed in standard heavy wall, rigid iron or steel conduits protected with an approved rust preventive. Armored cable or flexible conduits will not be accepted.

6.13 All conduits shall be grounded to a water pipe by approved ground clamps with a conductor equal to the largest conductor used on the system and the smallest size ground conductors used shall not be less than No. 10 B. & S. gauge.

6.14 Splices in electrical conductors in vertical risers shall not be permitted. Splices when necessary in horizontal runs, shall be made in approved junction boxes and shall be properly soldered and taped. The cover of the junction box shall be painted fire department red to indicate that it contains splices. The use of wire nuts or other solderless splicing devices shall not be permitted.

6.15 Electrical conduits shall enter only at the side or the bottom of the control cabinet.

6.16 In coded fire alarm systems using break glass type stations, at least one (1) extra glass shall be provided for each station in the system.

6.17 All openings in walls, floors or ceilings where conduits pass through, shall be properly fire stopped.

6.18 Conduits shall contain only conductors used in connection with the fire alarm system.

6.19 When special care is taken to insure the wires against injury, four (4) wires may be placed in one-half (½) inch rigid iron conduits. Conductors shall consist of not less than No. 14 B. & S. gauge copper wire, having rubber insulation wall not less than three-sixty-fourths (3/64) inch thick.

6.20 Where necessary to assure reliable service, connections of conductors to terminals or binding posts shall be soldered. The use of a blow torch for soldering connections to terminals shall not be permitted.

6.21 Where wires pass underground from one building to another, they shall be enclosed in conduits and shall be lead encased. Wires between buildings, when not run in conduit, shall be at least equivalent in conductivity and tensile strength to No. 8 B. & S. gauge copper wire for box and signaling circuits and shall be supported at least every seventy-five (75) feet on approved glass insulators and brackets, and be protected by approved lightning arrestors when required by the Commissioner. As far as possible, they shall be run under, rather than over, electric light or power wires.

e 7. Sending Stations

7.1 There shall be at least one (1) fire alarm sending station in each story of any building requiring a manual fire alarm signal system, located in a natural path of escape from fire at a readily accessible location designated by the Commissioner, which always shall be kept unobstructed. Additional sending stations shall be installed so that no point on any floor in a non-fireproof building shall be more than one hundred (100) feet distant from the nearest sending station upon such floor. In fireproof or sprinklered buildings, the distance shall not be more than one hundred and fifty (150) feet.

: 8. Sounding Devices

.1 Sounding devices shall be sufficient in number to be clearly audible to all the occupants of the building.

Rule 9. Sub-divided Buildings

9.1 Where a building is sub-divided by fire walls, each section shall be deemed a separate building for the purpose of fire alarm signal system installations. One control board may be used, if so arranged, as to operate the signaling devices in each section of the building independently; or may be operated as one unit when deemed necessary by the Commissioner.

Rule 10. Mixed Occupancy

10.1 In buildings requiring fire alarm signal systems, of which parts are occupied by other than factory tenants and in which the conditions of construction and occupancy warrant the establishment of a local fire brigade, the Commissioner may accept dual operation systems.

Rule 11. Existing Installations

11.1 Fire alarm signal systems heretofore installed in buildings in the City of New York and installed in accordance with the rules then in force, shall be accepted as long as they are maintained in proper working order.

Rule 12. Sources of Electrical Energy

12.1 Sources of electrical energy used in operating fire alarm signal systems shall be:

1. Generated electric power, not exceeding a potential of 250 volts, including:
   (a) Central Stations
   (b) Isolated Plants
2. Storage battery power

12.1.1 Either source of power shall be used under conditions and limitations as set forth by the Commissioner.

12.2 One source of energy shall be connected to the fire alarm system at all times. All auxiliary sources of energy when required shall be so arranged and controlled by an automatic switch that when the primary source of energy fails, the secondary source will be automatically connected to the fire alarm signal system. Intermediate devices are prohibited between the fire alarm control board and the source of current supply, except where specifically approved by the board for the purpose intended.

Central Stations

12.3 When the energy for a fire alarm signal system is supplied by a central station power system it shall be accepted as the sole source of supply; connections shall be made on the street side of the service switch except that in cases where the master meter is within thirty (30) feet of the main switch of the premises, permission may be given by the Commissioner to connect to the house side of the meter when a certificate of recent date from an authority of competent jurisdiction has certified that the electrical wiring throughout the premises is in a safe condition. When a house side connection is made, the fire alarm cutout shall be the first connection and as near as possible to the meter. Same shall be enclosed in a locked or sealed metal cabinet, painted fire department red and stenciled "Interior Fire Alarm." Fuses shall be of the enclosed cartridge type. Screw plug fuses will not be accepted. The cutout shall be a three pole cartridge fuse cutout with neutral fuse replaced by a solid copper bar. The smallest size fuse used on a fire alarm system shall be fifteen (15) amperes.

Isolated Plants

12.4 Energy from isolated electric light and power plants shall be used for fire alarm signal systems only when there is a more than one generating unit and the plant is always in operation when the building is occupied. When only one generator unit is employed, the source of energy shall be supplemented by storage battery or other auxiliary service. The fire alarm service connection shall be taken from the main bus of the house switchboard and installed in accordance with the service requirements under central stations. When a house side connection is made, the fire alarm cutout shall be the first connection and as near as possible to the meter. Same shall be enclosed in a locked or sealed metal cabinet, painted fire department red and stenciled "Interior Fire Alarm." Fuses shall be of the enclosed cartridge type. Screw plug fuses will not be accepted. The cutout shall be a three pole cartridge fuse cutout with neutral fuse replaced by a solid copper bar. The smallest size fuse used on a fire alarm system shall be fifteen (15) amperes.

Storage Battery

12.5 When a storage battery equipment is used as the sole source of current for a fire alarm signal system, the storage battery shall be provided in duplicate; or an approved type trickle charger may be substituted for the duplicate storage battery located in a room sufficiently ventilated. Such installations shall be equipped with a switchboard or panel of approved material on which are mounted volt meters, ammeters, circuit breakers, fuses, resistances, switches, starting devices for motors, field rheostats for generator and other apparatus required for charging and operating the battery.

12.6 Storage batteries shall be so located and ventilated as to avoid danger of sparking contacts igniting flammable gases or vapors.
In no case shall a storage battery be located in the same room with a gas meter.

Rule 13. Acceptance Test

13.1 Upon completion of a fire alarm signal system and as a condition of acceptance, a test of the entire installation shall be made under the direction of the Commissioner.

13.2 All systems shall show an insulation resistance of not less than ten (10) megohms with signaling apparatus disconnected.

13.3 The owner or contractors shall furnish all the necessary tools, instruments and labor to conduct this test when required by the Commissioner. The contractor shall notify the Department having jurisdiction in writing at the start and upon completion of the installation.

Rule 14. Daily and Monthly Test

14.1 Every fire alarm system shall be tested each morning immediately after the hours of starting work. No such system shall be used for any other purpose, except that the daily dismissal signals may be given if authorized by the Commissioner. The use of the system for fire drill purposes may be considered a test of those parts of the system actually used.

14.2 Each sending station shall be tested at least once a month.

14.3 All apparatus requiring winding shall be rewound after each operation and kept in normal condition.

14.4 A complete record of monthly tests, fire drills and other operations of fire alarm systems shall be kept subject to inspection by the Commissioner.

Rule 15. Maintenance

15.1 Interior fire alarm systems shall be maintained in operating condition at all times, unless the buildings are vacated for a period longer than one week. If the system becomes inoperative at any time, it shall be the duty of the owner or the person designated by him to be in charge of the system to notify all the occupants of the building and to take immediate steps to have the system restored to working order. He shall also place cards on the fire alarm boxes indicating that the system is out of order.

15.2 If, for any reason, it becomes necessary to disconnect the source of current of any system, the owner or other responsible person shall notify the Commissioner in advance of such disconnection, stating the reason therefor.

15.3 In systems using break glass type stations, at least one (1) extra glass for each station in the system shall be kept on the premises.

Rule 16. Alarm Boxes

16.1 In fire alarm signal systems the metal case enclosing exposed or surface alarm boxes shall be of cast iron and drilled and tapped to receive the conduit. When exposed to moisture the box shall be enclosed in a suitable weather-proof outer shell. In new buildings, approved back boxes embedded in the wall may be used and the conduits shall be properly secured by lock nuts and bushings.

16.2 All current carrying parts shall be insulated from parts of opposite polarity with approved insulating material.

16.3 All coded pull lever type stations shall be fitted with a door to protect the pull lever against accidental injury. Such door shall have a hand rigidly secured thereon and be so constructed as to open readily. The wording "In Case of Fire Open Door and Pull Down Lever" in raised letters or equivalent instructions shall appear on the door.

16.4 All break-glass type fire alarm boxes shall be provided with suitable hammers on chains of approved type attached to or near the boxes with which the glass can readily be broken; or other methods may be used to break the glass when approved by the Commissioner.

16.5 All break-glass boxes shall have in raised letters on the fronts, the words "Fire Alarm—In Case of Fire Break Glass," and such additional instructions as may be necessary to send an alarm.

16.6 The box or station shall be so designed that once started, the proper transmission of a complete code of signals cannot be interfered with by manipulation of its starting device.

16.7 Each closed circuit coded box or station shall be arranged to send a definite code of signals to indicate the floor or portion of same on which it is located.

16.8 Not less than three (3) or more than twenty (20) taps or blasts shall be given at each revolution of the code wheel.

16.9 The code wheel shall revolve at least four times for each operation of its starting device and be of metal properly insulated from ground.

16.10 Boxes or stations used in systems in which whistles, vibrating bells or horns are employed shall be so timed that the sounding devices will give the code signal clearly.

16.11 Contact points shall be in multiple.

16.12 Contact points and contacts of the testing de-

shall be of silver or other approved material and be of the scraping type, secured in a substantial manner to phosphor bronze or other approved material springs, and be so designed as to positively break a circuit carrying one-tenth (1/10) ampere at two hundred and fifty (250) volts under actual working conditions.

16.13 Lever boxes shall be so designed as to automatically wind when the lever is pulled for an alarm. Boxes requiring glass replacements shall be so arranged that replacement cannot be made without resetting mechanism for another alarm.

16.14 Where it becomes necessary to install more than one set of contacts operating from code wheel, permission in writing in advance must be obtained from the Commissioner. This shall not include pre-signal features.

16.15 The box shall have plainly marked thereon its code signal number.

ule 17. Non-Coded Boxes

17.1 Non-coded closed circuit fire alarm stations may be operated by a break-glass or pull lever device so arranged that the alarm cannot be interfered with except by resetting or replacement of the glass by an authorized person.

17.2 The construction and materials shall be equal to that of the standard approved type coded closed circuit station except that the contacts shall be of ample capacity to safely carry the entire operating current of the gong circuit without excessive heating.

le 18. Station Testing Devices

18.1 Each fire alarm system shall be provided with an auxiliary device to test the signaling devices, located in one of the alarm boxes or mounted on the control board Such testing devices shall be arranged to make the test without operating the break wheel of the box or interfering with the dual operating feature.

8.2 Provision shall be made for a silent test of coded alarm box mechanisms without operating the signaling devices. Such device shall be designed to prevent any persons except those in authority from operating the same and to prevent the possibility of the box being left inoperative after the test.

e 19. Supervising Current

9.1 A small current flow to constantly supervise each circuit shall be maintained. A milliammeter, or other approved current indicator shall be provided and so connected as to indicate the supervising current.

9.2 The supervising circuit shall be provided with a trouble bell operating on open circuit arranged to ring continuously in case of failure of the system. The trouble bell shall be so located that it will be within audible range of some responsible person in the building and shall be connected to the electric light or power service in the building. Permission may be granted by the Commissioner to connect the trouble bell to a battery of approved type.

.3 Trouble bells shall not be fitted with silencing switches except in such a manner that the act of silencing the bell by the operation of the switch, automatically and positively transfers the trouble signal to a red lamp on the control board fed by some auxiliary source of current supply. This auxiliary source of current shall be a house lighting circuit or any other approved source.

19.4 The trouble bell shall be of an approved design of the vibrating type and give a distinctive signal.

Rule 20. Protection of Sending and Sounding Devices

20.1 In fire alarm signal systems, all moving parts of sending stations and sounding devices shall be enclosed in metal casings, made dust-proof and damp-proof when necessary, and clearly marked with instructions for use.

20.2 Whenever necessary, hammer rods of gongs shall be suitably protected against mechanical injury or derangement by the use of a guard or other suitable means. If subject to mechanical injury, the entire device shall also be enclosed in a protecting case made of approved wire netting or perforated metal. All casings shall be insulated from current carrying parts, but shall be grounded to the conduit.

Rule 21. Standards of Electric Alarm Apparatus

21.1 All electrically actuated apparatus used in fire alarm systems shall be so designed and constructed that it will operate satisfactorily at a current flow of twenty-five (25) per cent above or below the normal operating current.

Insulation

21.2 Insulating materials used in electric fire alarm signal systems shall be varnished cambric, bakelite, mica or other approved insulating material.

21.2.1 The use of fibre or paper as an insulating material for fire alarm signal systems shall not be permitted.

21.3 The insulating material used on electric fire alarm signal systems shall be capable of withstanding an insulation break-down test of one thousand (1000) volts A. C. plus twice operating voltage applied for one (1) minute.

Electro-Magnets

21.4 Electro-magnet windings shall be impregnated with an insulating moisture repelling compound or shall be of silk enameled wire.

21.5 Electro-magnet coils to be used on alternating current when composed of enameled wire shall have an additional approved insulation on each wire. The coils may be of the form wound type.

21.6 A protective cover to prevent mechanical injury shall be provided over the entire coil.

21.7 Electro-magnet coils shall be securely fastened to prevent floating.

21.8 Electro-magnet cores shall be of the best grade of ferrous material so as to reduce to a minimum the possibility of failure due to residual magnetism.

21.9 Electro-magnet cores for use on alternating current shall be of laminated construction or other approved method to prevent heating and promote efficiency.

21.10 Electro-magnet cores of relays and gongs shall be treated to prevent corrosion.

21.10.1 Paint or varnish for this purpose shall not be used.

21.11 Non-magnetic freeze pins shall be used which will prevent two magnet surfaces coming in actual contact.

Gongs

21.12 Gong shells shall be pinned to prevent turning and then securely fastened to its support by a machine cap screw at least three-eighths (3/8) inch in diameter.

21.13 Gong shells shall be covered with an approved rust preventive.

21.14 The gong shell support and gong frames shall be cast in one piece.

Wiring

21.15 All connections shall be properly protected, securely made and where subject to motion shall be of approved flexible wire.

21.16 All wiring of control board, station and gong circuits shall be at least No. 14 B. & S. gauge.

21.17 Binding posts shall be of such a character that the wire is held between two flat surfaces.

21.18 Binding posts shall be mounted on an approved terminal block or insulating strip spaced not nearer than one-half (½) inch to each other, unless separated by approved barriers.

Relays

21.19 The armatures of all relays shall depend on gravity or magnetic attraction for their operation.

21.19.1 This action may be assisted by flat type springs when approved by the Commissioner.

21.19.2 The use of spiral springs is prohibited.

21.20 Adjustments shall be of such a character that they can be securely locked.

21.21 Contact points shall be ample in area not only to take care of current used in operation but to insure long life and shall be of pure silver, or other approved material, properly riveted to their support.

21.22 Contact arms shall be of phosphor bronze and be of the dead beat type.

21.23 Contact assemblies shall be of such a character that their operation will be of a scraping self-cleansing nature.

21.24 The use of condensers across contacts to absorb the arc or in any part of a fire alarm circuit is prohibited.

21.25 Relays shall be free from objectionable hum when used on alternating current.

Rule 22. Time Limit Delay Device

22.1 All gong circuits shall and special signal apparatus may when required by the Commissioner, be protected by a Time Limit Delay Device.

Note: This time limit delay device shall consist of a heating coil so designed that the normal operating current will have little or no effect upon a thermostatic bi-metal bar or strip contained therein. Any abnormal increase over operating current or the continued accumulative heating effect thereof after a period of not less than three (3) minutes nor more than twenty (20) minutes shall cause the thermostatic element to expand. The expansion of this element shall automatically open the source of current supply to the gongs or devices protected.

22.2 The operation of the time limit delay device shall cause the trouble bell to ring.

22.3 Time limit delay devices shall be so connected in the fire alarm circuit that their operation will not open the fire alarm box circuits.

22.4 Where due to the extent of the installation, it becomes necessary to install a number of time limit delay devices. the operation of a single time limit delay device shall not affect other sounding devices similarly protected.

22.5 A contactor relay to operate the sounding devices shall be provided on all direct current gong circuits exceeding three (3) and all alternating current gong circuits exceeding two (2) in number.

22.6 Gong circuits not requiring contactor relays shall be operated by contacts properly placed on the armature of the box circuit relay.

22.7 A separate time limit delay device, contactor relay, contactor supervisory relay and gong supervisory relay shall be provided for each four (4) gong circuit or fraction thereof.

Switches

22.8 Triple pole, double throw, broken back knife switches properly supervised and connected to emergency resistors shall be provided on all box and gong circuits when they exceed three (3) in number.

Instruments

22.9 A separate approved milliammeter or other approved current indicating device shall be provided for the box circuit and each four (4) gong circuit on the control board when the gong circuits exceed three (3) in number. A separate milliammeter shall be provided to indicate the supervisory current of contactor relays and emergency switch circuits. This meter shall be known as the Board Meter.

Resistors

22.10 Resistors shall be mounted on the front or face of control panels and shall be of vitreous enameled type.

Note: Wire wound resistors when protected by a suitable metal guard may be used in special cases when approved by the Commissioner.

22.11 Ferrule or knife contact type resistors shall not be used.

22.12 A protective resistor shall be placed in the negative or live lead of all box circuits to protect the contacts of the boxes in the event of a ground.

22.12.1 This resistor shall be not less than three hundred (300) nor more than seven hundred and fifty (750) ohms resistance.

Rule 23. Control Boards

23.1 All relays, current indicators, resistances, time limit delay devices and other apparatus used in connection with the operation and supervision of closed circuit fire alarm signal systems shall be properly mounted on a panel of approved material in a metal cabinet provided with lock and key. The control board shall be located in a place subject to the least vibration, free from moisture, inflammable gases, dust and mechanical injury and under frequent view of a responsible occupant of the building delegated by the owner to be in charge.

23.2 Control board panels shall be of insulating material such as ebony asbestos, bakelite or other approved materials at least one-half (½) inch thickness.

23.3 Control boards mounted in each cabinet shall be securely fastened in each corner.

23.4 Provision shall be made for ample wire gutter space around the panel.

23.5 Conduit knockouts shall not be provided in top of control board cabinet.

23.6 An approved wiring diagram of the alarm system and card of instruction properly marked and securely fastened shall be provided within the control board cabinet. When it becomes necessary to mount the diagram outside of the cabinet, the diagram shall be properly framed under glass.

23.7 All control board cabinets shall be provided with sight hole and glass panel to make meters on the inside of the cabinets visible from the outside.

23.8 Wires in gutter spaces shall be properly laced in a neat and workmanlike manner on all control boards having a capacity for more than three (3) gong circuits.

Rule 24. Battery Cabinets

24.1 All electric batteries for fire alarm signal systems shall be placed in substantial protecting cabinets thoroughly ventilated, elevated not less than one (1) nor more than five (5) feet above the floor and located in clean, dry and cool places where the temperature will not be less than forty (40) nor more than one hundred and ten (110) degrees Fahrenheit. Main battery cabinets shall be so constructed that the condition of the elements may be observed without disturbing the cells.

24.2 Metal battery cabinets shall be constructed of sheet iron or steel, not less than No. 14 U. S. gauge in thickness, properly reinforced by angle irons, with self-closing doors provided with lock and key and wood shelves not less than seven-eighths (7/8) of an inch thick, unless the battery is of the spray-proof type, properly fastened and secured to prevent sagging. The interior and the exterior of the cabinet shall be protected with three (3) coats of asphaltum compound, each coat to be thoroughly dry before the next is applied, or with baked enamel.

24.3 Wood battery cabinets shall be constructed of the first grade of kiln dried wood not less than seven-eighths (7/8) of an inch thick and shall be provided with self-closing door and approved lock. The shelves shall be not less than seven-eighths (7/8) of an inch thick properly fastened and secured to prevent sagging. The cabinet shall be of substantial construction painted on the interior with three (3) coats of asphaltum compound and on the exterior with three (3) coats of lead paint or two (2) coats of varnish.

24.4 Storage batteries may be placed on enamaled metal battery racks, provided the batteries are installed in a place where they will not be subject to mechanical injury, and will be ventilated as required in Rule 12.6.

ıle 25. Painting of Equipment

25.1 All enclosing cases for fire alarm apparatus shall be finished in fire department red, except where special permission is given by the Commissioner to deviate from this requirement.

ıle 26. Closed Circuit Annunciators

26.1 Annunciators used in connection with Class 3 fire alarm systems shall be of an approved closed circuit type.

26.2 The annunciator shall have approved type of relays equipped with a suitable target, shutter or other indicating device.

26.2.1 The indicating device shall have marked thereon a suitable description of the purpose it serves.

26.3 The printed designation on unit or building annunciator's indicators shall be legible. The mechanism shall be so arranged that once operated the indicating device shall be reset manually.

26.4 A unit annunciator shall be so designed that the operation of any station in the unit shall cause a visible and audible signal.

26.5 The unit annunciator shall be actuated by contact on code wheel of the fire alarm station or by contact on a relay connected to the fire alarm box circuit. In no case shall the station fire alarm circuit be used for this purpose.

26.6 Trouble annunciators shall be so arranged that the indicating device will reset automatically when cause of trouble has been removed.

26.7 The trouble annunciator shall be so designed that it will indicate visible and audible trouble signals in the event of trouble occurring on any circuit, control board or unit annunciators.

26.8 The trouble annunciator shall be actuated by the operation of contacts on all supervisory relays.

26.8.1 Each relay of this annunciator shall be provided with two (2) sets of contacts so arranged that one will operate the one hundred and ten (110) volt trouble signal, the other set to actuate the register if a register is used.

26.9 A trouble buzzer switch and lamp shall be mounted on the inside of each unit annunciator cabinet on the panel.

26.10 A trouble bell, switch and lamp shall be mounted on the inside of each trouble annunciator cabinet on the panel. Trouble bell may be placed at a distance from the annunciator by special permission of the Commissioner.

26.11 Relay drops of annunciator shall be so designed that vibration from without or that caused by the trouble signal within will not operate the indicating devices.

26.12 All annunciators shall be installed in a separate red enameled steel cabinet provided with an approved lock and key.

26.13 Annunciators shall be properly marked in white letters at least one (1) inch high with the words: "Fire Alarm Annunciator" Zone — or "Fire Alarm Trouble Annunciator," whichever the case may be.

Rule 27. Licensed Contractors

27.1 No person shall install, alter or repair or cause to be installed, altered, or repaired electrical wiring or apparatus for fire alarm systems in any building, except a person holding a license, or a special license in accordance with Chapter 9 of the Code of Ordinances of the City of New York.

The enforcing authority shall not approve any installation, alteration or repair done in violation of this rule.

Rule 28. Used or Rebuilt Apparatus

28.1 Used apparatus shall not be re-used for any interior fire alarm system under these Rules and Regulations until the same has been reconditioned in the shop of a reliable manufacturer building interior fire alarm apparatus which has been approved by the Board of Standards and Appeals. Approval in writing shall be obtained from the enforcing authority prior to installation. The enforcing authority shall not approve for use, used or reconditioned apparatus that may not give satisfactory service.

RULES

RULES FOR LIQUEFIERS USED TO CONVERT SOLID CARBON DIOXIDE TO A LIQUID AND /OR A GAS, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 214, ARTICLE 17 OF CHAPTER 10 OF THE CODE OF ORDINANCES

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 26, 1936

EFFECTIVE, JULY 27, 1936.

(262-35-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 718-A, sub-division 3 of Chapter XIV-A of the Charter of the City of New York for the carrying into effect the provisions of Section 214, Article 17, Chapter 10 of the Code of Ordinances.

Rule 1. Certificate of Approval.

A Certificate of Approval shall be obtained by the manufacturer from the Fire Chief and Commissioner for each type of liquefier or converter to be used for the conversion of solid carbon dioxide to liquid carbon dioxide as in full compliance with these Rules. A Certificate of Approval shall also be obtained from the Fire Chief and Commissioner for each system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers as in full compliance with these Rules.

Rule 2. Certificate of Fitness.

A Certificate of Fitness shall be obtained from the Fire Chief and Commissioner for each operator of a liquefier system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers.

Rule 3. Inspection Test Report.

A disinterested inspection service, approved by the Fire Chief and Commissioner, shall inspect all material and workmanship of all liquefiers at the place of manufacture and shall verify compliance with these Rules, witness all tests and shall furnish the Fire Chief and Commissioner with a test report as follows:

A. Test reports for liquefiers, other than redesigned portable cylinders, shall show all information called for in paragraph 23, I. C. C. Specification 3A, except as follows:
   1. "Marks stamped into shoulder of cylinder." This shall be as per Rule "11 Marking" hereinafter specified. Actual markings shall be shown on test report.
   2. "Record of hydrostatic tests." This shall be as per Rule "9 Testing" hereinafter specified.
   3. Statement shall be furnished that liquefier covered in said test report comply with these Rules, and Certificate of Approval Number for the type of liquefier covered in said test report.

B. Test report for converted portable cylinders for liquefier use shall show for each converted cylinder the following:
   1. Liquefier Serial Number.
   2. Original number of cylinder used for conversion.
   3. Original ownership initials of cylinders used for conversion.
   4. Original I. C. C. marking of cylinder used for conversion.
   5. Original manufacturing test date of cylinder used for conversion, and name of original manufacturer.
   6. Test pressure applied to cylinder before conversion.
   7. Total expansion obtained on cylinder before conversion.
   8. Permanent expansion obtained on cylinder before conversion.
   9. Per cent expansion obtained on cylinder before conversion.
   10. Elastic expansion obtained on cylinder before conversion.
   11. Outside diameter and length of cylinder before conversion.
   12. A statement that the above cylinders before conversion into liquefiers were tested in a water jacket in accordance with these Rules and I. C. C. Regulations and the results appear above.
   13. A statement that the top thickness, opening for cover plate and distance across the corner where the side wall meets the bottom and at 45° to the side wall, was measured and the dimensions were found to conform with Rule 6, F. G. H and I.
   14. A statement that after assembly each liquefier was given an open hydrostatic test to 3,000 lbs. and this pressure was held for at least two minutes without showing a pressure recession of more than 75 lbs.
   15. The liquefier was marked as follows: (See Rule "11 Marking" for requirements.)
   16. A statement that these liquefiers conform to these Rules, and that the type of liquefier has been approved under New York City Fire Department Certificate of Approval Number .....

Rule 4. Construction Other Than Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO^2 to liquid CO^2 shall be constructed of seamless drawn steel in accordance with Specifications of I. C. C. governing cylinders for CO^2. Closure devices other than screw thread type shall conform with the following:

A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container
t = Wall thickness.
P = 3,000 lbs. PSI.
S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.)

B. The "Top" is defined as that portion of the liquefier in which the closure device is installed and where the ice is introduced.

C. The minimum thickness of the top before machining shall be at least 3½ times the wall thickness.

D. The minimum thickness of the top after machining shall be at least 3 times the wall thickness.

E. The minimum distance from edge of the hole cut or shaped for the closure device to the outside of wall shall be 4½ times the wall thickness.

F. The maximum width of the machined seat shall not be more than 1½ times the wall thickness.

G. The outside radius connecting the top of the liquefier to its side wall shall not be more than 1½ times the wall thickness.

H. The inside radius connecting the side wall to the top before machining, shall not be less than 2½ times the wall thickness.

In lieu of the requirements as set forth in C to H inclusive above:

The top portion of the liquefier including closure plug

shall be designed with a factor of safety of not less than two at a test pressure of 3000 lbs. per sq. inch. The design shall be proven by a test to destruction for each type of liquefier before a certificate of approval shall have been issued.

. A large fillet shall be provided in the corner of the machined seat where it meets the inside radius.

Rule 5. Construction Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO^2 to liquid CO^2 shall be constructed of seamless drawn steel in accordance with specifications of I. C. C. governing cylinders for CO^2. Closure device of the screw thread type shall conform with the following:

. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container.
t = Wall thickness.
P = 3,000 lbs. PSI.
S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.)

The thread of the device shall be designed with a factor of safety of not less than 4 at a test pressure of 3,000 lbs. per sq. in. and the wall thickness after cutting thread shall not be less than that specified in Rule 5-A above.

Rule 6. Conversion of Portable Cylinders for Liquefier Use.

Seamless portable cylinders made to I. C. C. Specification 3 or 3A for oxygen or carbon dioxide and originally designed and used for the transportation of compressed or liquefied gases shall be acceptable for alteration or conversion into carbon dioxide liquefiers only under the following conditions;

Cylinders which have been in a fire shall not be used for conversion into liquefiers until they have been properly heat treated and retested as specified in paragraph 423, of the I. C. C. Regulations.

Cylinders which show surface dents, or which fail to give a clear ring on being struck with a hammer, shall not be used for conversion into liquefiers.

Before conversion into liquefiers, each cylinder shall be submitted to a hydrostatic test of 3,000 lbs. pressure in a water jacket under the conditions specified in paragraph 424 of the I. C. C. Regulations and the total and permanent expansion shall be recorded. A cylinder shall be condemned when it leaks or when the permanent expansion exceeds 10 per cent of the total expansion.

If in the hydrostatic test in the water jacket the net elastic expansion (total expansion less permanent expansion) at 3,000 lbs. exceeds the allowable limit given in the following table for the type of cylinder involved, such cylinder shall not be used for conversion into a liquefier. If the cubic capacity of a cylinder to be tested varies from the standard capacity given in the table for that type, then the allowable limit of elastic expansion will be varied in the same proportion.

TABLE I.

Type	*Cubic Capacity*	*Elastic Expansion Allowable Limit*
220 ft. oxygen	2,660 cu. in.	170 c.c.
200 ft. oxygen	2,660 cu. in.	170 c.c.
50 lbs. CO^2	2,360 cu. in.	150 c.c.

No cylinders designed and used for a portable container shall have the thickness of the side wall reduced by any cutting of threads in the process of conversion into a liquefier, except as specified in Rule "5-B Construction Screw Thread Type."

F. If the closure is formed by using a portion of the former bottom as a seat, this shall only be permissible if the dimensions of the liquefier conform to those shown in the Tables II, III and IV.

TABLE II.

Type	*Minimum Bottom Thickness*
220 ft. oxygen	.66 in.
200 ft. oxygen	.66 in.
50 lbs. CO^2	.66 in.

TABLE III.

Type	*Maximum Opening Permitted*
220 ft. oxygen	6⅛ in. x 7⅛ in.
200 ft. oxygen	6⅛ in. x 7⅛ in.
50 lbs. $CO.^2$	5¾ in. x 6¾ in.

TABLE IV.

Type	*Minimum Thickness across corner at Point where the outside of the side wall meets the inside radius of bottom and at 45° to side wall.*
220 ft. oxygen	⅝ in.
200 ft. oxygen	⅝ in.
50 lbs. CO^2	⅝ in.

G. The maximum width of the machined seat for the gasket of liquefier shall be 5/16 in., and the inside radius connecting this seat to the side wall of the cylinder shall not be less than ⅛ in.

H. The minimum thickness of closure plate shall be 5 times the wall thickness of the cylinder. The closure plate shall be of a good grade of billet steel. Castings not permitted.

I. Before conversion into a liquefier, the cylinder shall meet a new hydrostatic test at the pressure at which such cylinder was originally tested, provided however, that no cylinder shall be converted unless for its original use it was tested to 3,000 lbs. pressure. Such new test shall be in a water jacket before conversion into a liquefier.

Rule 7. Spuds.

Spuds for chain connections or for reinforcing valve or pipe connections of not over ¾ in. pipe size shall be welded before heat treatment at place of manufacture of the liquefier.

Rule 8. Safety Devices.

Each liquefier shall be provided with two safety devices of frangible disc type attached to the liquefier at a point not lower than 6 inches from the top. The cross section area of the discharge channel, or channels (of the safety device, or devices) shall be at least .006 sq. in. for each 25 lbs. of liquefier water capacity and .00024 sq. in. additional for each additional pound of water capacity. Safety devices having two or more outlets shall be so constructed that these outlets will have a combined total area of not less than one and one-half times that prescribed for the safety discharge channel. The frangible disc of the safety devices shall be designed to release at a pressure of not more than 2,000 lbs. per sq. in.

Rule 9. Testing.

Each liquefier after assembly shall be tested hydrostatically by an approved independent testing agency for not less than two minutes to a pressure of 3,000 lbs. per sq. in. without showing a pressure recession of more than 75 lbs.

per sq. in. The inspection service shall file a satisfactory record on test report stating that the liquefier passed the above required test.

Rule 10. Quinquennial Test.

Liquefiers used for any purpose shall be retested at least every five years to a pressure of 3,000 lbs. per sq. in. in the same manner and under the same requirements as at the time and place of manufacture and the date of retest shall be stamped thereon.

Rule 11. Marking.

Each liquefier shall bear marking as follows:

A. Name of owner.
B. Serial number.
C. Name or trade mark of manufacturer.
D. Date of manufacture.
E. Test pressure.
F. Inspection service mark.
G. Maximum filling charge based on filling to not more than 68 per cent of the water content by weight.

Rule 12. Filling.

Each liquefier shall be placed and used in a vertical position with filling effected while liquefier is properly secured.

Rule 13. Maximum Charge.

Liquefiers shall not be filled with solid carbon dioxide in excess of 150 lbs. nor in excess of 68 per cent by weight of the water capacity of the liquefier.

Rule 14. Use of CO^2 Systems and Liquefiers.

A. Carbon dioxide liquefier converting systems for filling portable cylinders shall not be used in any building occupied in whole or in part as a residence or as a multiple dwelling, or as place of public assembly, or in a building not used exclusively for manufacturing purposes.
B. Except in buildings used exclusively for the manufacture of carbon dioxide or other compressed gases, not more than 8 liquefiers of a maximum combined capacity of 1,200 lbs. of carbon dioxide shall be headed in a battery and not more than one such battery shall be permitted in a building.
C. Liquefiers may be manifolded only by the use of extra heavy steel or wrought iron pipe, or extra heavy seamless copper or brass tubing, of not larger than ¾ in. I. P. S. Fittings shall be high pressure forged steel or extra heavy bronze hydraulic type.
D. Each manifold shall be protected by a frangible disc safety device of the same size and type as those prescribed for the liquefier, and designed to release at a pressure of not more than 2,000 lbs. per sq. in. In addition, the liquid manifold shall be protected by a spring safety valve so set as to relieve the pressure at not more than 1,600 lbs. per sq. in.
E. When carbon dioxide gas is conducted through pressure reducing valve between liquefier and point of use, the use of a heater will be permitted, but said heater shall be so arranged that heat may be applied indirectly. This heater shall consist of a coil immersed in water. The source of heat shall then be applied to the water but not directly to the coil.

Rule 15. Test of Piping.

Each liquefier or battery of liquefiers to be used for the filling of portable cylinders or other containers with liquid carbon dioxide and all the piping connected thereto, shall be hydrostatically tested in the presence of the representatives of the Fire Chief and Commissioner before the solid carbon dioxide is first put into the system. A hydrostatic pressure of 2400 lbs. per sq. in. shall be maintained for fifteen minutes, released for five minutes, and again applied for a period of fifteen minutes without any visible leak or reduction of pressure. This test shall be repeated at least every five years.

Rule 16. Approval Systems for Filling Portable Cylinders.

Each liquefier or battery of liquefiers used for filling portable cylinders or other containers, shall be permanently labeled or marked showing the Fire Department Certificate of Approval Number together with date of last test.

Rule 17. Acceleration.

Defrosting, or acceleration of liquefaction, shall be by use of water only, the water shall be of a temperature not above 85° Fahrenheit.

Rule 18. CO^2 Portable Cylinders.

A. Portable cylinders or other containers to be filled with liquid carbon dioxide shall be constructed and marked in accordance with the Specifications of the Interstate Commerce Commission for carbon dioxide cylinders and shall have been tested within intervals of not more than five years as evidenced by official marking. Cylinders not so constructed and marked shall not be filled with carbon dioxide.
B. The maximum filling of liquid carbon dioxide, with one pound allowable variation in each cylinder, shall not be over 20 lbs. for standard cylinders 5½ in. in diameter by 51 in. long, nor over 50 lbs. for standard cylinders 8½ in. in diameter by 51 in. long and larger. No cylinder shall be filled with carbon dioxide to more than 68 per cent of the water capacity, by weight, of the cylinder.
C. The amount of liquid carbon dioxide charged into portable cylinders or other containers shall be determined by weight by use of a dial scale having a movable indicator, and this weight shall also be checked after disconnecting from the charging line.

Rule 19. Existing Installations.

Liquefiers or converters to which these rules and regulations cannot be applied, may be maintained and operated if approved by the Board of Standards and Appeals, under such conditions as are deemed necessary in the interest of public safety.

NOTICE

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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CHARLES M. BLUM

CHIEF JOHN J. MCELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

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TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting, October 4, 1938, at 10 a. M., Affecting Calendar Numbers 537-37-BZ, 332-38-BZ, 416-38-BZ, 570-38-BZ, 582-38-BZ, 251-35-BZ, 262-37-BZ, 395-37-BZ, 417-37-BZ, 609-37-BZ, 255-38-BZ and 736-38-BZ.

Minutes of Regular Meeting, October 4, 1938, at 2 P. M., Affecting Calendar Numbers 174-36-BZ, 461-37-BZ, 793-28-BZ, 279-33-BZ, 320-37-BZ, 551-37-BZ, 769-38-A, 781-38-A, 786-38-A, 811-38-A, 812-38-A, 813-38-A, 814-38-A, 815-38-A, 832-38-A, 606-38-A, 607-38-A, 608-38-A, 609-38-A, 610-38-A, 611-38-A, 612-38-A, 613-38-A, 614-38-A, 615-38-A, 616-38-A, 617-38-A, 618-38-A, 677-38-A, 681-38-A, 776-38-A-WF, 810-38-A-WF, 816-38-A, 817-38-A, 826-38-A, 828-38-A, 488-37-A, 184-38-SA and 817-38-SM.

Retarding Rules for Garages, etc.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to October 4, 1938

Cal. No.	*Department*	*Premises Affected*
828-38-A	H.B.Q.	165-05 Northern boulevard, northeast corner of 165th street (Block 5340-998 (96), Lot 8), Flushing, Borough of Queens. N.B. 7088-38.
829-38-A	F.D.	Transportation, storage, sale and manufacture of Anti-Freeze "Koldpruf" (inflammable mixture) in non-refillable cans in New York City. Decision.
830-38-BZ	H.B.Q.	61-52 to 61-64 Woodhaven boulevard and 61-09 to 61-21 Dry Harbor road, southwest corner (Block 2950, part Lot 1), Elmhurst, Borough of Queens. N.B. 6945-38.
831-38-SM		Mac-Stone Decorative Plaster manufactured by Mac-Ryand Corporation. Material.
832-38-A	H.B.Q.	South side of Eliot avenue, 626 ft., 644 ft. and 647 ft. west of 84th street (Block 2941, Lot 1), Elmhurst, Borough of Queens. N.B. 1769-38.
833-38-SM		Munlock Interlocking Tile manufactured by Insulated Interlocking Brick and Tile Corporation. Material.
834-38-BZ	H.B.M.	240-246 West 68th street, south side, 470 ft. west of Amsterdam avenue (Block 1159, Lots 52 to 55 inclusive), Borough of Manhattan. Decision.
835-38-SR		Re Submerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply. Proposed Rules.
836-38-A	H.B.Q.	153-23 Locke avenue, north side, 205 ft. west of 155th street and 154-05 Locke avenue, north side, 171 ft. west of 155th street (Block 4723, part of Lot 1), Whitestone, Borough of Queens. Alt. 7050-38 and Alt. 7051-38.
837-38-SA		Ideal Arco Variflame Oil Burner. Appliance.
838-38-SA		Pantex Dry Cleaning Unit. Appliance.
839-38-SA		Ballard Oil Burner, Model BAO, Esso Oil Burner, Model EBOO and Gilbarco Oil Burner, Model GBOO. Appliances.
840-38-BZ	H.B.M.	52-58 East 8th street and 305 Mercer street, southwest corner (Block 548, Lots 32 to 35 inclusive), Borough of Manhattan. Decision.
841-38-A	F.D.	50 Bond street, north side, 131.9 ft. west of Bowery (Block 530, Lot 43), Borough of Manhattan. 13604-L.C and Decision
842-38-SA		Delany Vacuum Breaker Model DV-88. Appliance
843-38-A	H.B.B.	2142-2146 81st street, south side 300 ft. west of Bay parkway (Block 6299, Lot 18), Borough of Brooklyn. App. 13174-38
844-38-BZ	H.B.B.	2717-2739 Pitkin avenue, north east corner of Euclid avenu (Block 4214, part of Lot 1) Borough of Brooklyn. App. 4879-38

Restored to Calendar.

461-37-BZ	H.B.M.	247-261 Madison avenue, ea side, from East 38th stre to East 39th street (Bloc 868, Lots 22, 23, 24 and and part of Lots 20, 54, and 56), Borough of Ma hattan. Decisio

DESIGNATIONS: **H.B.**—Department of Housing and Bui ings; **H.B.B.**—Department of Housing and Buildings, Brookly **H.B.M.**—Department of Housing and Buildings, Manhatta **H.B.Q.**—Department of Housing and Buildings, Queen **H.B.R.**—Department of Housing and Buildings, Richmon **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.** Health Department and **F.D.**—Fire Department.

RULES

	Last Publication in Bulleti
Carbon Dioxide Liquefier Rules....Oct.	4, 1938—Vol. 23, No.
Certificate of Occupancy, approved form .....Aug.	23, 1938—Vol. 23, No.
Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No.
Concrete Rules (Hydrated Lime)...Aug.	3, 1937—Vol. 22, No.
Elevator Rules .....Mar.	3, 1936—Vol. 21, No.
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No.
Factory Exit Rules.....Sept.	13, 1938—Vol. 23, No.
Fire Alarm Rules (Interior).....Oct.	4, 1938—Vol. 23, No.
Fire Drill Rules.....Aug.	9, 1938—Vol. 23, No.
Fire Retarding Rules for Garages, etc. .....Oct.	11, 1938—Vol. 23, No.
Fireproof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No
Frame Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No
Fusion Welding and Gas Cutting Rules .....Aug.	23, 1938—Vol. 23, No.
Gas Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No
Hatchway Protection .....June	5, 1928—Vol. 13, No
Oil Burner Rules.....Aug.	30, 1938—Vol. 23, No
Paint, Varnish and Lacquer Spraying Rules .....Sept.	13, 1938—Vol. 23, No
Platform Trucks, Specifications for..Nov.	24, 1936—Vol. 21, No
Plumbing Rules .....Aug.	3, 1937—Vol. 22, No
Procedure, Rules of.....Sept.	7, 1937—Vol. 22, No
Refrigerating Systems, Extract C.O.Sept.	27, 1938—Vol. 23, No
Smoking in Factories, Rules for....Sept.	13, 1938—Vol. 23, No
Sprinkler Rules .....June	29, 1937—Vol. 22, No
Standpipe Fireline Rules.....June	8, 1937—Vol. 22, No
Structural Alterations, Reporting...June	7, 1932—Vol. 17, No
Tank Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No
Tank Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..Apr.	10, 1923—Vol. 8, No

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves .....Mar.	5, 1935—Vol. 20, N

CALENDAR

ireline Hose Valves	Aug.	23, 1938—Vol. 23, No. 34
uel Oil Burners for Domestic and Commercial Use	Aug.	30, 1938—Vol. 23, No. 35
uel Oil Fill Pipe Terminals	Aug.	23, 1938—Vol. 23, No. 34
uel Oil Burners for Industrial Use	Aug.	30, 1938—Vol. 23, No. 35
uel Oil Pumps	Aug.	30, 1938—Vol. 23, No. 35
aint, Varnish and Lacquer Spray ing Equipment	Sept.	13, 1938—Vol. 23, No. 37
ange Oil Burners and Space Heaters	Aug.	9, 1938—Vol. 23, No. 32

OCTOBER 11, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standds and Appeals of a public hearing under the provisions the building zone resolution, *Tuesday morning, October* , 1938, at 10 o'clock, in Room 1013, Municipal Building, the following matters:

L. NO. 731-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Fred B. McDuffee, Director, Bureau of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of an extension to an existing garage for the storage of more than five (5) motor vehicles; premises 535-543 East 120th street, northwest corner of East River drive (Block 1817, part of Lot No. 13), Borough of Manhattan.

L. NO. 801-38-BZ—Application, September 19, 1938, under sections 7a, 7c and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Sam S. Glauber, Inc., owner, to permit in a residence use district the extension in height of an existing business building by erecting an extension on the roof; premises 521-529 East 79th street, north side, 198 ft. west of East End avenue (Block No. 1576, Lot No. 14), Borough of Manhattan.

L. NO. 666-38-BZ—Application, July 26, 1938, under sections 7g and 21 of the building zone resolution, of Benjamin Braunstein, applicant, on behalf of Sunnyside Building Corporation, The East New York Savings Bank and Estate of Andrew Wischerth (Charlotte Power and Veronica Wischerth, executrices), owners, to permit in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles to be operated in conjunction with a proposed multiple dwelling; premises 101-125 Sunnyside avenue north side, 210 ft. 1 in. east of Miller avenue (Block No. 3885, Lot Nos. 10, 12 and 41 and part of Lot No. 100), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 11, 1938, 2 P. M.

Appeals from Administrative Orders

-38-A—1062 (1058 displayed) 55th street, south side, 184 ft. 8 in. west of 11th avenue (Block No. 5681, Lot No. 26), Borough of Brooklyn.

781-38-A—12-16 Vestry street, north side, 130 ft. 10¼ in. east of Hudson street (5th floor); (Block No. 221, Lot No. 35), Borough of Manhattan.

769-38-A—295-303 Lafayette street, 35-39 East Houston street, 7-17 Jersey street and 271-293 Mulberry street (8th floor, South Bldg.); (Block No. 510, Lot No. 45), Borough of Manhattan.

811-38-A—12-02 to 12-32 40th avenue, Super Block bounded by 40th avenue, 21st street, 41st avenue and 12th street (Block No. 467, Lot Nos. 510 and 544, and Block No. 468, Lot No. 457), Long Island City, Borough of Queens.

812-38-A—10-02 to 10-30 40th avenue, Super Block bounded by 40th avenue, 12th street, 41st avenue and 10th street (Block No. 469, Lot No. 415 and Block No. 470, Lot No. 375), Long Island City, Borough of Queens.

813-38-A—10-02 to 10-30 41st avenue, Super Block bounded by 41st avenue, 12th street, a proposed street and 10th street (Block No. 465, Lot No. 35, and Block No. 466, Lot No. 35), Long Island City, Borough of Queens.

814-38-A—8-02 to 8-32 40th avenue, Super Block bounded by 40th avenue, 10th street, 41st avenue and Vernon boulevard (Block No. 478, Lot Nos. 1 to 22 inclusive, and Block No. 479, Lot No. 1), Long Island City, Borough of Queens.

815-38-A—8-02 to 8-36 41st avenue, Super Block bounded by 41st avenue, 10th street, Bridge Plaza North and Vernon boulevard (Block No. 480, Lot No. 1 and Block No. 481, Lot Nos. 1 to 7 inclusive, 8, 12, 16, 36, 55 and 63), Long Island City, Borough of Queens.

822-38-A—4 Morse court, west side, 100 ft. south of Cornaga avenue (Block No. 79, Lot No. 11), Far Rockaway, Borough of Queens.

766-38-A—402-412 Bleecker street and 291 West 11th street, northwest corner (Block No. 623, Lot Nos. 8-10), Borough of Manhattan.

789-38-A—80-02 to 80-14 57th avenue, southeast corner of 80th street (Block No. 2918, Lot Nos. 2, 4, 5, 6 and 7), South Elmhurst, Borough of Queens.

841-38-A—50 Bond street, north side, 131.9 ft. west of Bowery (Block No. 530, Lot No. 43), Borough of Manhattan.

843-38-A—2142-2146 81st street, south side, 300 ft. west of Bay parkway (Block No. 6299, Lot No. 18), Borough of Brooklyn.

845-38-A—107-12 Cross Island boulevard, west side, 87.71 ft. south of 107th avenue (Block No. 9160, Lot No. 235), Ozone Park, Borough of Queens.

847-38-A—234-244 (240 displayed) 81st street, south side, 340 ft. west of Third avenue (Block No. 5996, Lot No. 21), Borough of Brooklyn.

859-38-A—58-50 and 58-56 213th street, west side, 498 ft. and 539 ft. south of 58th avenue (Block No. 7463, Lot No. 1), Bayside, Borough of Queens.

860-38-A—58-49 and 58-55 213th street, east side, 498 ft. and 539 ft. south of 58th avenue (Block No. 7464, Lot No. 1), Bayside, Borough of Queens.

861-38-A—1037-1049 51st street, northeast corner of Fort Hamilton parkway (Block No. 5646, Lot No. 30), Borough of Brooklyn.

CALENDAR

862-38-A—1042-1052 50th street, southeast corner of Fort Hamilton parkway (Block No. 5646, Lot No. 30), Borough of Brooklyn.

863-38-A—East side of 40th street, 200 ft. south of 47th avenue (Block No. 861, Lot No. 24), Long Island City, Borough of Queens.

864-38-A—2069-2083 85th street, northwest corner of 21st avenue (Block No. 6334, Lot No. 45), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October* 11, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further arugument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 583-38-BZ—Application, July 8, 1938, under section 7h of the building zone resolution of Harry Yahr, applicant, on behalf of The Mutual Life Insurance Company of New York, owner, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan.

CAL. NO. 574-28-BZ—Application of George A. Boehm, applicant on behalf of Estate of Max Eisman, owner, reopened July 6, 1938, under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop (previously withdrawn); premises 1339 Jerome avenue (Macombs road), west side, 472.96 ft. south of West 170th street and 1338 Inwood avenue (Block No. 2856, Lot Nos. 9-10-49 and 50), Borough of The Bronx.

CAL. NO. 174-36-BZ—Application of Szold and Brandwen, applicants, on behalf of New York Clothing Cutters Centre, Inc., owner, reopened September 13, 1938, for consideration as to extension of permit—re Application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period; premises 44-46 East 12th street, south side, 132 ft. west of Broadway (Block No. 563, Lot No. 28), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 18, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October* 18, 1938, at 10 o'clock, in Room 1013, Municipal Building on the following matters:

CAL. NO. 608-37-BZ—Application, December 21, 1937, under sections 7h and 21 of the building zone resolution of Patrick J. Keating, lessee, on behalf of First Methodist Episcopal Church, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 142-17 Roosevelt avenue, north side, 150.83 ft. east of Union street (Block No. 5020, Lot No. 49), Flushing, Borough of Queens.

CAL. NO. 694-38-BZ—Application, August 4, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Gulf Oil Corporation, owner, to permit in a business use district the extension of an existing gasoline service station; premises 85-06 Queens boulevard and 86-71 Grand avenue, southwest corner (Block No. 2477, Lot No. 16), Elmhurst, Borough of Queens.

CAL. NO. 685-38-BZ—Application, August 3, 1938, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Gulf Oil Corporation, owner, to permit partly in a business use district and partly in a residence use district the reconstruction and extension of an existing gasoline service station; premises 112-02 to 112-12 Northern boulevard, southeast corner of 112th street (Block No. 1727, Lot Nos. 1 and 5), Corona, Borough of Queens.

CAL. NO. 657-38-BZ—Application, July 21, 1938, under section 21 of the building zone resolution of B. Robert Swartburg, applicant, on behalf of Airport Land Corporation, owner, to permit in a residence use district the erection and maintenance of forty-five (45) individual garages premises 21-45 76th street, east side 102 ft. north of Ditmars boulevard (Block No. 972, part of Lot No. 12) Astoria, Borough of Queens.

CAL. NO. 678-38-BZ—Application, July 27, 1938, under section 21 of the building zone resolution of Albert Goldhammer, applicant, on behalf of Transboro Realty Corporation, owner, to permit in a residence use, "B" area district the construction of a building (multiple dwelling) having a rear yard starting at a higher level than permitted by the building zone resolution; premises 1555 Sheridan avenue, west side, 236.73 ft. south of Mount Eden avenue (Block No. 2821, Lot Nos. 61, 63 and 64), Borough of The Bronx.

CAL. NO. 730-38-BZ—Application, August 22, 1938, under sections 7h and 21 of the building zone resolution, of Groehl and Monne

applicants, on behalf of Shakbro Realty Corporation, owner, to permit partly in a residence use district and partly in a business use district the parking and storage of more than five (5) motor vehicles; premises northeast corner of West 187th street and Amsterdam avenue (Block No. 2149, part of Lot No. 108), Borough of Manhattan.

CAL. NO. 711-38-BZ—Application, August 10, 1938, under section 21 of the building zone resolution, of George M. Glassgold, applicant, on behalf of Midtown Construction Corporation, owner, to permit partly in a business use district and partly in an unrestricted use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 16-18 Tiemann place, south side, 200 ft. east of Broadway (Block No. 1981, Lot No. 58), Borough of Manhattan.

AL. NO. 582-38-BZ—Application, July 8, 1938, under section 21 of the building zone resolution, of Charles H. Pfaff, applicant, on behalf of Justine Schwab, owner, to permit in a business use district the extension of an existing gasoline service station; premises 222-45 to 222-47 Braddock avenue (Rocky Hill road), northwest corner of Sabre street (Block No. 7967, Lot No. 39 and part of Lot No. 41), Queens Village, Borough of Queens.

L. NO. 416-38-BZ—Application, May 27, 1938, under sections 7a and 21 of the building zone resolution, of Emanuel H. Jerabek, applicant, on behalf of Josephine Pokorny, owner, to permit in a business use district, the extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and also, a motor vehicle repair shop; premises 162-42 to 162-44 Pidgeon Meadow road (Fresh Meadow road), west side, 235.23 ft. north of Laburnum avenue (Block No. 5461, Lot Nos. 44, 46, 47 and 49), Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 18, 1938, 2 P. M.

Appeals from Administrative Orders

8-38-A—341 Broadway, west side, 83 ft. 5 in. north of Worth street (Block No. 173, Lot No. 30), Borough of Manhattan.

1-38-A—118 Chambers street, south side, 112 ft. 11½ in. west of Church street (Block No. 136, Lot No. 23), Borough of Manhattan.

8-38-A—536-540 West 46th street, south side, 275 ft. east of 11th avenue (Block No. 1074, Lot No. 49), Borough of Manhattan.

Building Zone Applications

OTICE IS HEREBY GIVEN by the Board of Stands and Appeals of a public hearing under the provisions he building zone resolution, *Tuesday afternoon, October* 1938, at 2 o'clock, in Room 1013, Municipal Building, the following matters, except cases which have been d and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 99-33-BZ—Application of Seelig and Finkelstein, applicants, on behalf of New York Rapid Transit Corporation, owner, reopened September 20, 1938, for consideration as to extension of permit—permit having expired by limitation—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the use and occupancy of a vacant plot of ground as an open air parking space for more than five (5) motor vehicles for a temporary period; premises 3068-3074 Ocean parkway, west side, 283 ft. 7 in. north of Sea Breeze avenue (Block No. 7282, part of Lot Nos. 57 and 60), Borough of Brooklyn.

CAL. NO. 332-38-BZ—Application, May 3, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of John F. Trommer, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1605-1615 Bushwick avenue, northeast corner of Stewart street (Block No. 3475, Lot No. 50), Borough of Brooklyn.

CAL. NO. 537-37-BZ—Application, November 15, 1937, under sections 7h and 21 of the building zone resolution of Isidore Beerman, applicant, on behalf of Schulte Realty Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 72-01 to 72-17 Roosevelt avenue, north side, 100 ft. west of 72rd street and 7216 to 7230 Broadway (Block No. 1283, Lot Nos. 72, 80, 90, 93, 97, 99 and part of 84), Jackson Heights, Borough of Queens.

CAL. NO. 461-37-BZ—Application of Manhattan Parking Corporation, applicant and lessee, on behalf of New York Life Insurance Company, owner, reopened October 4, 1938, for consideration as to amendment of resolution adopted by the board on July 12, 1938—re application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 247-261 Madison avenue, east side, from East 38th street to East 39th street (Block No. 868, Lot Nos. 22, 23, 24 and 25 and part of Lot Nos. 20, 54, 55 and 56), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 25, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Stand-

CALENDAR

ards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October* 25, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 570-38-BZ—Application, July 5, 1938, under section 7a of the building zone resolution, of Robert Gottlieb, applicant, on behalf of Stanley K. Malouf, owner, to permit in a residence use district the erection and maintenance of a business building (stores and offices above); premises 791-793 St. Nicholas avenue, west side, 51 ft. south of West 150th street (Block No. 2064, Lot Nos. 33 and 34), Borough of Manhattan.

CAL. NO. 456-37-BZ—Application, September 23, 1937, under section 7h of the building zone resolution, of Wallace F. McLendon, applicant, on behalf of Fannie Gise, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4866 Broadway, east side, 125 ft. south of West 204th street (Block No. 2234, Lot Nos. 14 and 15), Borough of Manhattan.

CAL. NO. 490-37-BZ—Application, October 14, 1937, under sections 7h and 21 of the building zone resolution, of Louis Werthheimer, applicant and lessee, on behalf of Estate of J. Romaine Brown, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 246 Nagle avenue, southwest corner of West 204th street (Block No. 2218, Lot No. 25), Borough of Manhattan.

CAL. NO. 554-37-BZ—Application, November 23, 1937, under section 7h of the building zone resolution, of Smith and Weber, applicants and lessees, on behalf of Board of Transportation, City of New York, owner, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 896-908 Eighth avenue, 260-266 West 54th street, southeast corner and 255 West 53rd street (Block No. 1025, Lot No. 3), Borough of Manhattan.

CAL. NO. 629-38-BZ—Application, July 15, 1938, under section 21 of the building zone resolution, of Francis Fargo, applicant and lessee, on behalf of Robert Goelet and Duke of Roxburghe, owners, to permit in a residence use district, for a temporary period of three (3) years, the use of a plot of ground as tennis and badminton courts; premises 178-180 East 78th street, south side, 100 ft. west of Third avenue and 173-175 East 77th street (Block No. 1412, part of Lot No. 33), Borough of Manhattan.

CAL. NO. 602-37-BZ—Application, December 20, 1937, under section 7h of the building zone resolution, of William Debus, applicant, on behalf of Katharine Hentschel, owner, to permit in a busness use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 25-33 Irving avenue and 343-347 Jefferson street, northeast corner (Block No. 3167, Lot Nos. 1 and 3), Borough of Brooklyn.

CAL. NO. 604-37-BZ—Application, December 20, 1937, under section 7h of the building zone resolution, of Marjorie Macormack, applicant, on behalf of Estate of A. S Robbins, owner (William Macormack lessee), to permit in a business use district the maintenance of a parking space for the parking and storage of more than five (5) motor vehicles premises 266-282 Clarkson avenue south side, 89 ft. 7½ in. west of Nostrand avenue (Block No. 5066, Lot Nos. 41 and 46), Borough of Brooklyn.

CAL. NO. 428-38-BZ—Application, May 31, 1938, under sections 7a and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Colonial Beacon Oil Co., Inc., owner, to permit the erection of an extension to an existing building on a plot located partly in an unrestricted use district and partly in a business use district occupied by an existing gasoline service station; premises 127-32 to 127-48 Northern boulevard, south side, 40.02 ft. east of 127th place (Block No. 1829, Lot No. 21), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

OCTOBER 25, 1938, 2 P. M.

Appeals from Administrative Orders

832-38-A—South side of Eliot avenue, 626 ft., 644 ft. and 667 ft. west of 84th street (Block No. 29[illegible] Lot No. 1), Elmhurst, Borough of Queens.

836-38-A—153-23 Locke avenue, north side, 205 ft. west of 155th street and 154-05 Locke avenue, north side, 171 ft. west of 155th street (Block No. 4723, part of Lot No. [illegible] Whitestone, Borough of Queens.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October* 25, 1938, at 2 o'clock, in Room 1013, Municipal Building on the following matter:

CAL. NO. 624-26-BZ—Application of Apa Realty Corporation, applicant and owner, reopened September 27, 1938 for consideration as to extension of permit—re Application, granted on condition, under section 7f of the building zone resolution permitting in a business use district the maintenance of a gasoline service station (erected under a temporary variation granted by the board for

CALENDAR

temporary period); premises southwest corner of Kissena boulevard (road) and Horace Harding (Nassau) boulevard (Block No. 2167, Lot No. 35), Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 15, 1938, 2 P. M.

Appeal from Administrative Order

306-38-A—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 4, 1938

Present: Chairman Murdock, Commissioners Savage and um and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on nesday morning, September 20, 1938 and the minutes of e regular meeting of the board held on Tuesday afterion, September 20, 1938, were approved as printed in Bulin No. 39, Vol. No. 23.

BUILDING ZONE CASES

-37-BZ.

PLICANT—Isidore Beerman, for Schulte Realty Company, owner.

BJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

EMISES AFFECTED—72-01 to 72-17 Roosevelt avenue, north side, 100 ft. west of 73rd street and 7216-7230 Broadway (Block No. 1283, Lot Nos. 72, 80, 90, 93, 97, 99 and part of 84), Jackson Heights, Borough of Queens.

PEARANCES—

For Applicant: Isidore Beerman, Oliver D. Wallett and Jacob Waas.

For Opposition: Fletcher Martin and Theresa Laberheim.

TION OF BOARD—Laid over to October 18, 1938, at 2 P. M. Applicant to submit curb cut permits. No further argument.

38-BZ.

PLICANT—Lama & Proskauer, for John F. Trommer, owner.

BJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

EMISES AFFECTED — 1605-1615 Bushwick avenue, northeast corner of Stewart street (Block No. 3475, Lot No. 50), Borough of Brooklyn.

PEARANCES—

For Applicant: Alfred A. Lama and Fred Berger.

TION OF BOARD—Laid over to October 18, 1938, at 2 P. M., for decision by the board. No further argument.

38-BZ.

PLICANT—Emanuel H. Jerabek, for Josephine Pokorny, owner.

JECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a business use district the extension and conversion of occupancy of an existing building, to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop.

PREMISES AFFECTED — 162-42 to 162-44 Pidgeon Meadow road (Fresh Meadow road), west side, 235.23 ft. north of Laburnum avenue (Block No. 5461, Lot Nos. 44, 46, 47 and 49), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Emanuel H. Jerabek, Josephine Pokorny and John Pokorny.

For Opposition: E. A. Williams.

ACTION OF BOARD—Laid over to October 18, 1938, at 10 A. M., Applicant to submit revised plans.

570-38-BZ.

APPLICANT—Robert Gottlieb for Stanley K. Malouf, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7a of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores and offices above).

PREMISES AFFECTED—791-793 St. Nicholas avenue, west side, 51 ft. south of West 150th street (Block No. 2064, Lot Nos. 33 and 34), Borough of Manhattan.

APPEARANCES—

For Applicant: T. Reuben, J. Wittstein, and R. Gottlieb.

For Opposition: E. Hymes.

ACTION OF BOARD—Laid over to October 25, 1938, at 10 A. M. after argument. Applicant to submit proof of business use prior to 1916.

582-38-BZ.

APPLICANT—Charles H. Pfaff, for Justine Schwab, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—222-45 to 222-47 Braddock avenue (Rocky Hill road), northwest corner of Sabre street (Block No. 7967, Lot No. 39 and part of Lot No. 41), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Justine Schwab.

For Opposition: None.

ACTION OF BOARD—Laid over to October 18, 1938, at 10 A. M. on request of owner.

251-35-BZ.

APPLICANT—Paul Friedman for State Engineering Corporation and Cora Lay Waldron, owners.

SUBJECT—Application reopened May 17, 1938 (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the erection and maintenance of a business building (stores); (previously denied under sections 7c and 21 of the building zone resolution).

PREMISES AFFECTED—2115-2119 Caton avenue, north side, 91 ft. west of Flatbush avenue (Block No. 5063, Lot No. 69), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman, Matthias Shalita, and Henry Halpern.

For Opposition: I. E. Schlesinger and David Garber.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Absent 0

THE RESOLUTION—

(251-35-BZ)

WHEREAS, this application, under Sections 7-C and 21 of the Building Zone Resolution, to permit partly in a residence use district and partly in a business use district, the erection and maintenance of a business building (stores), affecting premises 2115-2119 Caton avenue, north side, 91 ft. west of Flatbush avenue (Block No. 5063, Lot No. 69), Borough of Brooklyn, was denied by the board January 7, 1936; and

WHEREAS, the owner, through its attorney Paul Friedman, requested a reopening of the case under Section 21, on the basis of new facts; and

WHEREAS, this case was reopened by vote of the board May 17, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 4, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Caton avenue is in a residence and business use district; Flatbush avenue is in a business use district; Kenmore place is in a residence use district and Woodruff avenue is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated May 9, 1938, re Application No. 6190-1938, reads:

"Structure for business use in a residential zone is contrary to Art. II, par. III, of Building Zone Resolution."

and

WHEREAS, the proposed building is to be of non-fireproof construction, one story in height, with a frontage of 45 ft. and a depth of 95 ft., to be occupied as a business building (stores). It is proposed to demolish the present frame dwelling on the site. A small, irregularly shaped area (having a frontage of approximately 9 ft. along Caton avenue), at the southeast corner of the plot, is located in a business use district; the remainder of the plot is in a residence use district. It is proposed to occupy the building for 4 stores, maintaining a 5 ft. wide open space along the west lot line; and

WHEREAS, the board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, practical difficulties and unnecessary hardship, and that the property can be developed for conforming use.

Resolved, that the decision of the borough superintendent acting on Application No. 6190-1938, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

262-37-BZ

APPLICANT—Henry W. Schober, for Herbert H. Peters, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five motor vehicles.

PREMISES AFFECTED—21-11 Menahan street, north side, 101.67 ft. east of Grandview avenue (Block No. 2204, Lot Nos. 68, 71 and 80), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Henry W. Schober and William Secker.

For Opposition: Frank Raulinitis.

ACTION OF BOARD—Application granted on condition

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....

Negative .....

Absent .....

THE RESOLUTION—

(262-37-BZ)

WHEREAS, Henry W. Schober, for Herbert H. Peters owner, filed June 4, 1937, an application under the buildin zone resolution to permit partly in a business use and partl in a residence use district, for a temporary period of nc more than two (2) years, the parking and storage of mor than five (5) motor vehicles; premises 21-11 Menaha street, north side, 101.67 ft. east of Grandview avenu (Block No. 2204, Lot Nos. 68, 71 and 80), Ridgewoo Borough of Queens; and

WHEREAS, a public hearing was held on this applicatio by the Board of Standards and Appeals, at its regula meeting, October 4, 1938, after due notice by publicatic in the Bulletin of the Board of Standards and Appeals; an

WHEREAS, the use district maps accompanying the buil ing zone resolution show that Menahan street is in a bus ness and residence use district; Bleecker street is in residence and business use district; Grandview avenue is a business use district and Forest avenue is in a busine use district; and

WHEREAS, the decision of the Borough Superintendent Buildings, dated August 25, 1938, re PA Viol 191/3 1782/37 reads:

"Referring to application of Secker Bros., Inc., 21-01 Menahan street, Ridgewood, L. I., N. Y., for ce tificate of occupancy for parking and storage of mo than five (5) motor vehicles on premises northsi Menahan street, 101 ft. east of Grandview avenue, hou number 21-11 Menahan street, Ridgewood, L. I., N. is hereby *denied* as same is contrary to Art. II, Sec also Sec. 4, Subd. 15 of the Building Zone Resolutio

and

WHEREAS, the premises consist of an irregularly shap plot of ground having a frontage of 160.4 feet on Menah street and a distance of 100 ft. along the west lot line. small, irregularly shaped area at the north side of the p is in a residence use district; the remainder is in a busin use district. There is a one-car frame garage located the west lot line of the plot. It is proposed to use the p for a temporary period of not more than two years the parking and storage of more than 5 motor vehicl and

WHEREAS, the board is familiar with the site under peal, having made an inspection in connection with pr erty directly opposite; and

WHEREAS, the board deemed this was a proper case exercise its discretion under Section 7, subdivision H, the building zone resolution.

Resolved, that the Board of Standards and Appeals does ereby *make a variation* in the application of the use dis- rict regulations of the building zone resolution, and that he application be and it hereby is *granted under Section -H for a period of two* (2) *years from the date of this ction*, to permit that portion in business use area to be sed for the storage and parking of more than five (5) notor vehicles, *on condition* that only motor vehicles of ne pleasure-car type shall be stored and parked; that the remises shall be levelled substantially to the grade of lenahan street and surfaced with steam cinders, clean ravel or other suitable material properly rolled to prevent usting; that on interior lot lines, where walls of adjoin- g buildings do not occur, there shall be erected a sub- antial woven-wire fence, not less than 5 ft. in height; iat a similar fence or a substantial board fence shall be ected on street line of Menahan street, except for an en- ance toward the west not exceeding 20 ft. in width; that uring the term of this variance, the premises shall be ed for no other use than herein permitted; that no ad- rtising signs shall be permitted, except that a sign may erected at entrance attached to fence, advertising park- g or storage use, provided such sign does not exceed an ea of 15 sq. ft.; that any lights for illumination shall so placed as to reflect towards the centre of the plot d away from adjoining residential occupancy; that proper sle space shall be maintained at all times for easy exit d entrance; that no building shall be erected on prem- s, except the existing one-car garage and a building not er 15 sq. ft. in area and not over one-story in height, d used as an office and shelter for attendant; that such rtable fire equipment shall be maintained as the Fire mmissioner shall direct, and that all permits shall be tained and all work shall be completed within three nths from the date of this action.

-37-BZ.

PLICANT—Joseph J. Nista for Florence Helfrich, owner.

BJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

EMISES AFFECTED—1058 Union avenue, east side, 192.01 ft. south of East 166th street (Block No. 2679, part of Lot No. 11), Borough of The Bronx.

PEARANCES—

For Applicant: Joseph J. Nista and Florence Helfrich.

For Opposition: Nathan Frank and others.

For Administration: Charles Tilgner, Department of Education.

TION OF BOARD—Application denied.

E VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

E RESOLUTION—

(395-37-BZ)

HEREAS, Joseph J. Nista, for Florence Helfrich, owner, l August 9, 1937, an application under the building zone olution to permit in a business use district, for a tempo- period of not more than two (2) years, the parking storage of more than five (5) motor vehicles; Prem- : 1058 Union avenue, east side, 192.01 ft. south of East h street (Block No. 2679, part of Lot No. 11), Borough The Bronx; and

HEREAS, a public hearing was held on this application e Board of Standards and Appeals, at its regular meet- October 4, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Union avenue is in a business use district; Prospect avenue is in a business use district; East 165th street is in a business use district and East 166th street is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated August 3, 1937, reads:

> "You are hereby advised that your application for the conduction of an open air parking space and storage of more than 5 motor vehicles in the vacant lot at the front of the above mentioned premises is hereby denied as the location is in a business district, where such occupancy would be contrary to Section 4, Article 2 of Amended Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 53.6 ft. and a depth of 175.7 ft. Upon the plot there is located a two-story dwelling and a metal 5-car garage. It is proposed to use the vacant part of the plot for storage and parking of more than 5 motor vehicles for a temporary period of not more than two (2) years; and

WHEREAS, the board deemed that in view of the existence of an entrance to a public school in the same portion of the street between the intersecting streets, it is precluded under section 21 from making a favorable decision on this application.

Resolved, that the decision of the Borough Superintendent of Buildings, dated August 3, 1937, be and it hereby is *affirmed*, and that application be and it hereby is *denied*.

417-37-BZ.

APPLICANT—Vivian J. Burkett, lessee, for Annie Callan, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—Northeast corner of Crocheron avenue and 169th street (Block No. 5297, Lot No. 6), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Vivian J. Burkett and Thomas J. Callan.

For Opposition: John F. Blaha, Wm. Henninger, Samuel Harris, James A. Conway, E. A. Williams, V. McLaughlin, Demetrius J. Pappas, Albert W. Humm, David H. Zimmerman and James P. Farrell.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(417-37-BZ)

WHEREAS, Vivian J. Burkett, lessee, for Annie Callan, owner, filed August 24, 1937, an application under the building zone resolution to permit partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; Premises: Northeast corner of Crocheron avenue and 169th street (Block No. 5297, Lot No. 6), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 4, 1938, after due notice by publication in the

Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Crocheron avenue is in a business use district; 169th street is in a residence and business use district, and 170th street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated August 3, 1937, reads:

"Your application for certificate of occupancy for parking and storage of more than five (5) motor vehicles on premises Northeast corner of Crocheron avenue and 169th street, Borough of Queens, is hereby DENIED as same is contrary to Art. II, Sect. 4, subd. 15 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 101 ft. on Crocheron avenue, and 118.5 ft. on 169th street. An irregular area, having a frontage of 18.5 ft. on 169th street, is located in the residence use district, the remainder of the plot is in a business use district. It is proposed to use that portion of the plot located in the business use district, for a temporary period of not more than two (2) years for the storage and parking of more than five (5) motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to the hearing; and

WHEREAS, the Board deemed that there was no basis for the use of its discretion under the provisions of Section 7, subdivision h of the building zone resolution and that to permit a variance, would not be in harmony with the general purpose and intent of the building zone resolution; and

WHEREAS, the Board also deemed that it should not exercise its discretion to grant under section 7 subdivision h in view of the deteriorating effect on the area and the lack of need for a parking lot at the location, in view of the unrestricted area within a reasonable walking distance.

Resolved, that the decision of the borough superintendent, dated August 3, 1937, be and it hereby is *affirmed,* and that the application be and it hereby is *denied.*

609-37-BZ.

APPLICANT—Grand Street Realty Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7-h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—91-02 168th street, west side, 150.72 ft. north of Jamaica avenue (Block No. 867, Lot Nos. 83, 85 and 86), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: N. A. Weidberg.

For Opposition: Henry Eisemann, William Brown and Patrick J. Beary.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(609-37-BZ)

WHEREAS, Grand Street Realty Corporation, owner, filed December 22, 1937, an application under the building zone resolution to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 91-02 168th street, west side, 150.72 ft. north of Jamaica avenue (Block No. 867, Lot Nos. 83, 85 and 86), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 4, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 168th street is in a business and unrestricted use district; Jamaica avenue is in a business use district; 91st avenue is in a business use district and 166th street is in a business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of Buildings, dated November 29, 1937, reads:

"Regarding application which you filed in this department for issuance of certificate of occupancy to cover use of premises situated on the west side of 168th street, 150 ft. north of Jamaica avenue, Borough of Queens, for parking and storage of more than five motor vehicles, be advised that same is hereby *denied* as this location is situated in a business district, and this use or occupancy would be contrary to subdivision 15, section 4, of the building zone resolution of the City of New York."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. and a depth of 155 ft. It is proposed to use the plot for a temporary period of not more than 2 years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision H of the building zone resolution and to grant a variation for a temporary period of two (2) years.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-H thereof for a temporary period of two years from the date of this action, to permit the plot under appeal to be used for the parking and storage of more than five (5) motor vehicles, *on condition* that only automobiles of the pleasure car type shall be so stored or parked; that the plot shall be levelled substantially to the grade of 168th street and shall be surfaced with steam cinders or clean gravel or other suitable material properly rolled and treated with a binder to prevent dusting; that there shall be erected on the interior lot lines, where the masonry walls of existing buildings do not occur, a substantial woven wire fence not less than seven (7) feet in height; except that such fence on the westerly and northerly lot lines, shall be erected at a distance of five feet therefrom and parallel to such lot lines; that there shall be no entrance through the rear fence to 91st avenue; that a similar fence shall be erected along the street line of 168th street, except for an entrance and exit, each not over 15 ft. in width, with curb cuts opposite of similar width; that during the term of this variance, the premises shall be used for no other use than as permitted herein and no building shall be erected thereon, except there may be erected an office shelter for the attendant not over one story in height, and not over 150 sq. ft. in area, and which may be of frame construction; that proper aisles shall be maintained at all times for easy entrance an exit; that any lights erected for illumination shall be installed so as to reflect toward the center of the plot and away from adjoining occupancies; that no sign shall be erected, except a small sign attached to the fence, advertising the storage and parking use, not more than 15 sq. ft. in area; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that all permits required shall be obtained and all work completed within three months from the date of this action.

255-38-BZ.

APPLICANT—Irving Kudroff, for Aberdeen Garage, Inc., owner.

UBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the extension of an existing public garage (previously granted by the board) by the construction of a new ramp and also the erection and maintenance of a gasoline service station, analytical service, greasing station, motor vehicle shop for minor repairs and brake service station.

REMISES AFFECTED—2181-2191 Jerome avenue, west side, from Clinton place to West 182nd street, 3 Clinton place and 4 West 182nd street (Block No. 3195, Lot Nos. 66 and 69), Borough of The Bronx.

PPEARANCES—

For Applicant: Irving Kudroff, Arthur Miller, Max Greenberg.

For Opposition: L. E. Chernis, Emil F. Reich, Edward Goodman and Paul Weisfeld.

CTION OF BOARD—Application denied.

HE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

HE RESOLUTION—

(255-38-BZ)

Whereas, Irving Kudroff, for Aberdeen Garage, Inc., ner, filed April 11, 1938, an application under the build- g zone resolution to permit in a business use district, the tension of an existing public garage (previously granted the board), by the construction of a new ramp and also e erection and maintenance of a gasoline service station, alytical service, greasing station, motor vehicle shop for nor repairs and brake service station; premises, 2181- 91 Jerome avenue, west side, from Clinton place to West 2nd street, 3 Clinton place and 4 West 182nd street (Block . 3195, Lot Nos. 66 and 69), Borough of The Bronx; d

Whereas, a public hearing was held on this application the Board of Standards and Appeals, at its regular meet- , October 4, 1938, after due notice by publication in the lletin of the Board of Standards and Appeals; and

Whereas, the use district maps accompanying the build- zone resolution show that Jerome avenue is in a busi- s use district; West 182nd street is in residence and siness use districts; Clinton place is in residence and siness use districts, and Davidson avenue is in a resi- ice use district; and

Whereas, the decision of the borough superintendent of ildings, dated July 6, 1938 (re Alteration Application . 954-38), reads:

"1. Proposed Amendment to include the extension of a public garage by the construction of a new ramp, gasoline station, analytical service, greasing station, repair shop for minor repairs and brake service station contrary to Section 4, Art. 2 of Amended Building Zone Resolution."

Whereas, the premises consist of a plot of ground hav- a frontage of 200 ft. on Jerome avenue, 100 ft. on nton place, and 50 ft. on West 182nd street. Upon the th portion of the plot there is located a 2-story garage, ft. by 100 ft. in area, which was granted by the board. n the vacant northerly portion of the plot (100 ft. by ft. in area), it is proposed to locate a ramp leading to 2nd story of the existing garage (this ramp is now ted in the north end of the existing garage); to erect ne-story building 100 ft. by 33 ft. in area, to be used office, analytical machine and brake testing lubritorium motor vehicle repair shop for minor repairs. It is posed also to install the necessary tanks and pumps for asoline service station; and

Whereas, the board is familiar with the site and its environs, having recently inspected property across the street in connection with an amendment to a resolution granting a garage, which the board acted on some ten years ago; and

Whereas, the board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, as to practical difficulties and unnecessary hardship.

Resolved, that the decision of the borough superintendent, acting on Alteration Application No. 954-38, Item 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

736-38-BZ.

APPLICANT—Francis T. Christy, for Rockefeller Center, Inc., lessee, The Trustees of Columbia University in the City of New York, owner.

SUBJECT—Application (decision of the borough superintendent of buildings), under section 7g of the building zone resolution, to permit in a retail use district, the erection and maintenance of a building to be occupied as a garage for more than five (5) motor vehicles and offices.

PREMISES AFFECTED—25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Francis T. Christy, Henry Hofmeister, J. K. Hyatt, Frederick C. Genz, Wm. G. Clarence, V. Clement Jenkins, and others.

For Opposition: Edward Martin, Bernard A. Finkel and Sol A. Herzog.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(736-38-BZ)

Whereas, Francis T. Christy, for Rockefeller Center, Inc., lessee, and The Trustees of Columbia University in the City of New York, owner, filed August 16, 1938, an application under the building zone resolution to permit in a retail use district, the erection and maintenance of a building to be occupied as a garage for more than five (5) motor vehicles and offices; Premises: 25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan; and

Whereas, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 4, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

Whereas, the use district maps accompanying the building zone resolution show that West 49th street and West 48th street are in retail and restricted retail use districts; Sixth avenue and Fifth avenue are in a retail use district; and

Whereas, the decision of the borough superintendent of buildings, dated August 9, 1938 (re N.B. App. No. 15-38), reads:

"4. Proposed occupancy as a garage for more than 5 motor vehicles within a retail district is in violation of section 4—'A' and sec. 4a subd. 15 of the building zone resolution."

and

Whereas, the premises consist of a plot having a frontage of 307 ft. 4½ in. on West 48th street, 307 ft. 4½ in. on West 49th street and 200 ft. 8½ in. on Rockefeller plaza on which it is proposed to erect a 15-story fireproof building to be occupied as a non-storage garage for more than

five (5) motor vehicles for 3 stories below grade and for 3 stories above grade. The remainder of the building to be occupied for offices; and

WHEREAS, the Board deemed that the provisions of section 7, subdivision g, of the building zone resolution, under which this application was made, empowered the Board to exercise its discretion and to grant, upon the filing of 80 per cent consents of property owners in the affected area, which consents have been filed in excess of the required percentage.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7g thereof, to permit that portion of the proposed building to be used as a non-storage garage, as indicated on plans filed with this application, together with the space shown as a proposed bus terminal, *on condition* that there shall be no bus terminal on the premises or any entering or exiting of buses on the premises; that the portion of the building used for a non-storage garage shall be protected with a 2-source sprinkler system and standpipe system and shall be separated from all other parts of the building by fireproof construction; that in addition, such portable fire-fighting appliances shall be installed as the Fire Commissioner shall direct; that the exterior of the building shall be, as represented, in conformity as to design and exterior materials with the adjacent buildings of Rockefeller Center; that the present permitted parking use granted under Cal. No. 487-37-BZ shall be terminated upon the commencement of excavation for this proposed building; that at all times during the operation of the garage, there shall be an attendant stationed on 49th street and one on 48th street, to direct the entering and exiting of automobiles; that only automobiles of the pleasure-car type shall be stored in the garage; that there shall be no storage of gasoline within this portion of the building, except in the tanks of the cars and no servicing or repairing of motor vehicles; that the garage area shall be ventilated throughout with a supply and exhaust system of ventilation to provide not less than four changes of air per hour; that prior to filing complete working drawings with the borough superintendent, such plans shall be submitted to the Board for examination and for the imposition of any additional conditions as may be deemed necessary; that such plans shall be submitted within six months and all permits shall be obtained and all work completed within one year after plans are approved by the Board, as in compliance with the terms of the resolution as it may be amended.

Adjourned, 4:00 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 4, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

174-36-BZ.

APPLICANT—Szold and Brandwen, for New York Clothing Cutters Centre, Inc., owner.

SUBJECT—Application reopened September 13, 1938 for consideration as to extension of permit—re application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—44-46 East 12th street, south side, 132 ft. west of Broadway (Block No. 563, Lot No. 28) Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to October 11, 1938, at 2 P. M. on request of applicant.

461-37-BZ.

APPLICANT—Manhattan Parking Corporation (lessee), for New York Life Insurance Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the borough superintendent of buildings) under sections h and 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—247-261 Madison avenue, east side, from East 38th street to East 39th street (Block No. 808, Lot Nos. 20, 22, 23, 24, 25, 54, 5 and 56), Borough of Manhattan.

APPEARANCES—

For Applicant: George D. Carrington and others.

ACTION OF BOARD—Application reopened and set f hearing October 18, 1938, at 2 P. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....

Negative .....

Absent .....

793-28-BZ.

APPLICANT—Margaret A. Sonnett, owner.

SUBJECT—Application for consideration—reopening a amendment—(re decision of the borough super tendent of buildings) re application, previou granted on condition, under section 21 of the bui ing zone resolution, permitting in a business u district the alteration of the first story of a bui ing and of a detached one-story garage and erection of an extension for the purpose of ma taining motor vehicle repair shops.

PREMISES AFFECTED—3369 East Tremont aven northeast corner of Haskin street and 2909 Has street, north side, 56.46 ft. east of East Trem avenue (Block No. 5311, Lot No. 1 and part Lot Nos. 2 and 5), Borough of The Bronx.

APPEARANCES—

For Applicant: Margaret A. Sonnett.

ACTION OF BOARD—Application reopened and reso tion amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....

Negative .....

Absent .....

HE VOTE TO AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

HE RESOLUTION—

(793-28-BZ)

WHEREAS, Margaret A. Sonnett, owner, filed, October 16, 928, an application, under the building zone resolution, to ermit in a business district the alteration of the first story f a building and detached one-story garage and the erecon of an extension for the purpose of maintaining motor ehicle repair shops; premises 3369 East Tremont avenue, ortheast corner of Haskin street, Borough of The Bronx; nd

WHEREAS, this application was granted by the board arch 26, 1929, resolution amended April 29, 1930 and wner requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does ereby *amend* its resolution of March 26, 1929, as amended pril 29, 1930, so that as amended, the resolution will read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, as to the conduct of a repair shop for minor repairs and adjustments of automobiles, confined to manual operation, *on condition* that there shall be no open flames, forges or torches operated or maintained on the premises, and no machinery, other than one-half horsepower electric motor or drill; the repair work to be restricted to that portion of the premises on Haskin street, 55 ft. northeasterly from Tremont avenue, and the remainder of the premises to be restricted to conforming use and operation.

Resolved further, that in the event the owner desires to demolish the existing repair shop on the front portion of the plot, said repair shop may be replaced by a construction similar to that herein permitted, on condition that the entire building shall not exceed the depth hereinbefore permitted, namely one hundred (100) *ft. measured for the street line.*"

0-33-BZ.

PPLICANT—James I. Newman, for Newman Building Co., Inc., owner.

UBJECT—Application for consideration—reopening and extension of permit—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (granted for a period of five years).

REMISES AFFECTED—Southwest corner of Baisley boulevard and New York boulevard (Block No. 3045, part of Lot No. 29), Jamaica South, Borough of Queens.

PPEARANCES—
For Applicant: Ruvin H. Koslow.

CTION OF BOARD—Application reopened and permit extended.

E VOTE TO REOPEN AND EXTEND PERMIT—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

E RESOLUTION—

(279-33-BZ)

WHEREAS, James J. Munro, for Newman Building Co., , owner, filed August 24, 1933, an application under building zone resolution to permit in a business district the erection and maintenance of a gasoline service station; premises: Southwest corner of Baisley boulevard and New York boulevard (Block No. 3045, part of Lot 29), Jamaica South, Borough of Queens; and

WHEREAS, this application was granted by the board on February 6, 1934, for a temporary period of five years, on certain conditions and owner requested an extension of this period for an additional five years; and

WHEREAS, a committee of the board has passed the premises under appeal on several occasions and has noted no change in the neighborhood.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the board on February 6, 1934, only so far as it has reference to term of permit, so that as amended the resolution will read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, permitting the plot under appeal to be used for a gasoline service station *for a period of five* (5) *years, beginning with the termination of the period of five* (5) *years permitted under Resolution adopted by the Board on February* 6, 1934, under Section 21, *on condition* that the entire area shall be graded substantially to the grade of Baisley boulevard and New York boulevard; that there shall be erected on the interior lot lines a substantial woven wire fence not less than 6 ft. in height; that the accessory buildings, consisting of a building for office use only, shall be erected toward the center of the plot, as indicated on the plans filed with this application; that this building shall not exceed one-story in height and shall be constructed of incombustible materials except that the roof beams, roof boarding, doors and windows may be of wood; that the roof of the building shall be surfaced with slate, tile or heavy asbestos shingles; that there shall be no open excavation under this building; that the balance of the plot, where not covered by the accessory building shall be either cement paved or covered with cracked blue stone; that gasoline pumps shall be not nearer than 10 ft. to the street line or to any part of the accessory building; that there shall be no portable gasoline tanks used on or from the property; that signs advertising non-conforming use shall be restricted to the illuminated globes of the gasoline pumps and to a flat sign against the accessory building, excluding all other signs and signs of a temporary nature; that there shall be no automobile repairing carried on in the premises and no storing or parking of cars other than those being serviced; that lights for general illumination shall be on standards with metallic reflectors arranged to shine downwardly; that if and when curbs are erected on either street front, openings in the curbs to this gasoline selling station shall be limited to two from each street, each opening not to exceed 25 ft. in width; that all permits shall be obtained within six months and all work completed within one year from the date of this action."

320-37-BZ.

APPLICANT—Russell G. Cory, for Bronxville Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re application (decision of the commissioner of buildings) under section 7a of the building zone resolution, permitting in a business use district the extension in height of an existing factory building.

PREMISES AFFECTED—901 East 228th street, east side of Bronxwood avenue, between East 228th street and East 229th street (Block No. 4864, part of Lot No. 35), Borough of The Bronx.

APPEARANCES—

For Applicant: Walter E. Ritz.
ACTION OF BOARD—Application reopened and time extended.
THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(320-37-BZ)

WHEREAS, this application affecting premises 901 E. 228th street, east side of Bronxwood avenue between East 228th street and East 229th street (Building No. 2); (Block No. 4864, part of Lot No. 35), Borough of The Bronx, was granted by the board October 19, 1937, on certain conditions and applicant requested an extension of time to obtain permit and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 19, 1937, only so far as it refers to the time within which to complete work, so that as amended this portion of the resolution will read:

"that all permits shal be obtained and all work completed within one year from the date of this amended resolution."

551-37-BZ.
APPLICANT—Joseph B. Lynch, for Colonial Beacon Oil Co., Inc., lessee, for Bryce Rea, owner.
SUBJECT—Application for consideration—reopening and amendment—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.
PREMISES AFFECTED—233-02 Northern boulevard and 45-01 233rd street, southeast corner (Block No. 8166, Lot No. 20), Douglaston, Borough of Queens.
APPEARANCES—
For Applicant: Joseph B. Lynch.
ACTION OF BOARD—Application reopened and resolution amended.
THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE VOTE TO AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(551-37-BZ)

WHEREAS, Bryce Rea, owner, filed November 19, 1937, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station; Premises: 233-02 Northern boulevard and 45-01 233rd street, southeast corner (Block No. 8166, Lot No. 20), Douglaston, Borough of Queens; and

WHEREAS, this application was granted by the Board April 12, 1938, on certain conditions and the owner, through his lessee, requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of April 12, 1938, so that as amended, the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 thereof, for a temporary period of five years from the date of this action, to permit the plot under appeal to be occupied as a gasoline service station, *on condition* that the plot shall be leveled substantially to the grade of Northern boulevard; that the accessory building shall not exceed one story in height and shall be constructed of incombustible materials, as indicated on revised plan marked "Received September 7, 1938" and shall be of the portable type not exceeding an area of one thousand (1,000) square feet of ground area; that the building shall be set back for a depth of approximately forty (40) feet and the area between the front of the building and Northern boulevard shall be surfaced with cracked bluestone, properly bound and rolled, or similar impervious paving; that the gasoline pumps shall not be nearer than fifteen (15) feet to the street building line of Northern boulevard; that entrances to premises shall not exceed two (2) feet from Northern boulevard, no entrance to exceed twenty-five (25) feet in width; that no portion of the curb cut nor splay for same, shall be nearer than three (3) feet to the side lot line, as extended at right angles to the street building line of Northern boulevard; that no automobile repairing shall be conducted on the premises; that there shall be no parking or storage of cars on the premises other than those being serviced; that signs shall be restricted to the illuminated globes of the pumps and to a fixed sign attached to the front facade of the accessory building, excluding all roof signs and temporary signs but permitting the erection of a post standard within the building line near the intersection of the building lines of Northern boulevard and 233rd street supporting a sign advertising only the brand of gasoline sold and permitting such sign to extend over the street building line for a distance of not more than five (5) feet; that all permits required shall be obtained and all work involved completed within one year from April 12, 1938."

APPEALS FROM ADMINISTRATIVE ORDERS

769-38-A.
APPLICNT—Milbank, Tweed and Hope, for Yates Drug & Chemical Co., lessee.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—295-303 Lafayette street, 35-3 East Houston street, 7-17 Jersey street and 271-2 Mulberry street (8th floor, south building); (Block No. 510, Lot No. 45), Borough of Manhattan.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Laid over to October 11, 1938, 2 P. M., on request of applicant.

781-38-A.
APPLICANT—E. Wolf & Co., Inc., lessee.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—12-16 Vestry street, north side 130 ft. 10¼ in. east of Hudson street (5th floor (Block No. 221, Lot No. 35), Borough of Manhattan.
APPEARANCES—
For Applicant: Rose Streng.
ACTION OF BOARD—Laid over to October 11, 1938, 2 P. M. on request of applicant's representative

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786-38-A.
APPLICANT—Arnold W. Lederer, for Morris Shenk owner.

MINUTES

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
PREMISES AFFECTED—1062 (1058 displayed) 55th street, south side, 184 ft. 8 in. west of 11th avenue (Block No. 5681, Lot No. 26), Borough of Brooklyn.
APPEARANCES—
For Applicant: Arnold W. Lederer.
For Administration: Samuel Cohen, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to October 11, 1938, at 2 P.M., for further consideration by the board.

811-38-A.
APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—12-02 to 12-32 40th avenue, super block bounded by 40th avenue, 21st street, 41st avenue and 12th street (Block No. 467, Lot Nos. 510 and 544 and Block No. 468, Lot No. 457), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: William F. R. Ballard.
For Administration: William S. Elliott for Department of Public Works and Borough Superintendent J. P. Reilly, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to October 11, 1938, at 2 P. M. so that applicant may inform the board how it is proposed to meet the Code Requirements.

812-38-A.
APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—10-02 to 10-30 40th avenue, super block bounded by 40th avenue, 12th street, 41st avenue and 10th street (Block No. 469, Lot No. 415 and Block No. 470, Lot No. 375), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: William F. R. Ballard.
For Administration: William S. Elliott for Department of Public Works and Borough Superintendent J. P. Reilly, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to October 11, 1938, at 2 P. M. so that applicant may inform the board how it is proposed to meet the Code Requirements.

813-38-A.
APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—10-02 to 10-30 41st avenue, super block bounded by 41st avenue, 12th street, a proposed street and 10th street (Block No. 465, Lot No. 35 and Block No. 466, Lot No. 35), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: William F. R. Ballard.
For Administration: William S. Elliott for Department of Public Works and Borough Superintendent J. P. Reilly, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to October 11, 1938, at 2 P. M. so that applicant may inform the board how it is proposed to meet the Code Requirements.

814-38-A.
APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—8-02 to 8-32 40th avenue, super block bounded by 40th avenue, 10th street, 41st avenue and Vernon boulevard (Block No. 478, Lot Nos. 1 to 22 inclusive and Block No. 479, Lot No. 1), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: William F. R. Ballard.
For Administration: William S. Elliott for Department of Public Works and Borough Superintendent J. P. Reilly, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to October 11, 1938, at 2 P. M. so that applicant may inform the board how it is proposed to meet the Code Requirements.

815-38-A.
APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—8-02 to 8-36 41st avenue, super block bounded by 41st avenue, 10th street, Bridge Plaza North and Vernon boulevard (Block No. 480, Lot No. 1 and Block No. 481, Lot Nos. 1 to 7 inclusive, 8, 12, 16, 36, 55 and 63) Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: William F. R. Ballard.
For Administration: William S. Elliott for Department of Public Works and Borough Superintendent J. P. Reilly, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to October 11, 1938, at 2 P. M. so that applicant may inform the board how it is proposed to meet the Code Requirements.

832-38-A.
APPLICANT—Leonard C. L. Smith, for Green Park Homes, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—South side of Eliot avenue, 626 ft., 644 ft. and 647 ft. west of 84th street (Block No. 2941, Lot No. 1), Elmhurst, Borough of Queens.
APPEARANCES—
For Applicant: L. C. L. Smith.
ACTION OF BOARD—Laid over to October 25, 1938, at 2 P. M., so that applicant can submit information from Topographical Bureau.

606-38-A.
Applicant—Howard Chapman, for Long Island College Hospital, owner.
SUBJECT—Appeal from a decision of the deputy commissioner, Division of Housing, Department of Housing and Buildings.
PREMISES AFFECTED—115 Amity street, northeast corner of Henry street (Block No. 291, Lot No. 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: Howard Chapman.
For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(606-38-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, owner, filed July 12, 1938, an appeal from a decision of the Division of Housing, Department of Housing and Buildings, affecting premises 115 Amity street, northeast corner of Henry street (Block No. 291, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the deputy commissioner, Division of Housing, dated June 23, 1938, reads:

"The above building of which you are reported to be the owner is now classified as a 'Heretofore Converted Class B Multiple Dwelling' and as such must comply with the provisions of the Multiple Dwelling Law, New York City Charter and the Building and Administrative Codes of the City of New York applicable thereto.

In accordance with mandatory provisions of the multiple dwelling law, fill out, sign and return the enclosed registry form. Failure to do so may subject you to a fine.

Keep this notice as a duplicate will not be issued.

ITEMS:

1. Arrange and make self-closing the doors opening to public halls from all living quarters at basement 1, 2, 3 stories. Sec. 189.

2. Enclose with stud partitions fire-retarded or plastered on both sides the stairs leading to cellar from basement. Sec. 190.

Note—The partitions must extend from cellar to the floor above and the soffits and stringers of such stairs must be fire-retarded and such stair enclosure must be equipped with a fireproof self-closing door at the bottom.

Note—When any portion of a dwelling is required to be fire-retarded, such portion shall be covered with metal lath plastered with two coats of mortar or by means of other approved methods.

3. In accordance with section 200 of the multiple dwelling law, provide ventilation for the water-closet compartment in basement rear.

Note—File plans with the department before work is started.

4. Replace the present wood floor and base with proper approved waterproof floor and base consisting of stone, slate, tile or other approved waterproof non-absorbing material in the water-closet compartment in basement. Sec. 200.

5. No second means of egress provided.

Note—Provide a dual means of egress for each room in the building consisting of a sprinkler system in accordance with Sec. 189, or outside fire escapes in conformity with Sec. 145.

Note—File plans with the department before work is started.

6. Provide a safe means of egress in case of fire by fire-retarding the ceiling directly under the roof of extension at 2nd story rear. Sec. 145-187.

Note—The department must be notified when this work is ready for inspection and the work must be approved by an inspector of this department before it is covered."

and

WHEREAS, the building is three stories and basement (40 ft.) in height, 16 ft. 10 in. by 50 ft. in area, of non-fireproof construction; located in a residence use, "C" area district; erected in 1879 and occupied as follows: Basement—maids, 4 persons; 1st floor—nurses, 3 persons; 2nd and 3rd floors—nurses, 4 persons per floor; and

WHEREAS, the applicant contends that this building was designed for a single family residence, but is used and has been continuously used for housing of nurses since 1921. It is not used as a college dormitory and no part of it has been, nor is to be rented. In 1937 this building was completely renovated, new bathrooms were added, new iron steps were run from the top floor to a new bulkhead on the roof, the basement stair enclosure was covered with metal and iron balconies were installed on both front and rear, so that every occupant above the 1st floor has, without passing through the central stairhall, a second means of egress past a party wall to an adjoining building owned by the hospital and similarly occupied. The Department of Housing and Buildings has classified the residence as a heretofore converted Class B multiple dwelling. It is contended that the building is not a multiple dwelling and should be excluded from the multiple dwelling law which would impose unnecessary hardships. Although the building is part of the hospital group, it is not a public building as it is not open to the public. No meals are cooked on the premises and heat, hot water and electricity are supplied from the central plant; and

WHEREAS, these premises were inspected by a committee of the board, which report was read at this hearing and which report reads as follows:

REPORT OF COMMITTEE

Re: Calendar numbers—606-38-A, 115 Amity street (Block No. 291, Lot No. 1); 607-38-A, 117 Amity street (Block No. 291, Lot No. 52); 608-38-A, 119 Amity street (Block No. 291, Lot No. 51); 609-38-A, 121 Amity street (Block No. 291, Lot No. 50); 610-38-A, 125 Amity street (Block No. 291, Lot No. 48); 611-38-A, 127 Amity street (Block No. 291, Lot No. 47); 612-38-A, 110-118 Amity street (Block No. 296, part of Lot No. 5); 613-38-A, 120 Amity street (Block No. 296, Lot No. 10); 614-38-A, 122 Amity street, Block No. 296, Lot No. 11); 615-38-A, 14 Congress street (Block No. 296, Lot No. 46); 616-38-A, 359 Henry street (Block No. 296, part of Lot No. 5); 617-38-A, 361 Henry street (Block No. 296, part of Lot No. 5); 618-38-A, 363 Henry street (Block No. 296, Lot No. 4).

The buildings under appeal are located across Henry street from the main buildings of the Long Island College Hospital and are owned by the hospital and served from the main hospital plant with steam, electricity and hot water. The buildings are all used by the hospital under its direct supervision for the rooming quarters for nurses and other members of the hospital staff.

The appeals are from the decisions of the Department of Housing and Buildings that various provisions of the Multiple Building Law must be complied with and the question is accordingly raised—are the buildings to be classed as multiple dwellings under the provisions of the Multiple Dwelling Law. Formerly, these buildings were either private houses, tenement houses constructed for the present type of occupancy described as Dormitory for Nurses.

There has apparently existed some uncertainty in the department as to the proper classification, as evidenced by the records indicating that some have been examined under the Building Code provisions only and some under both the Building Code and the Multiple Dwelling Law provisions.

The record indicates a notation, dated December 1936, applying to several buildings of the group general overhauling to continue as the sleeping quarters for nurses, examined as a multiple dwelling, but classification as such waived and "not considered a multiple dwelling." A further notation of the then comm-

sioner of buildings on one application for alteration indicates his instructions that the buildings should not be classified as multiple dwellings. However, upon reference to the Housing Division for classification, the buildings were all classified in May of 1938 as Class "B" multiple dwellings, based on an opinion of the corporation counsel, dated January 15, 1932. The request for the opinion by the President of the Borough of Brooklyn gave no location, but asked the question whether a nurses' home is a Class "B" multiple dwelling, and whether the fact that the nurses' home is not on the same plot with the hospital changes the status even though it is owned by the hospital. The corporation counsel was of the opinion the hospital nurses' home is a Class "B" multiple dwelling.

In the opinion of the committee, the legislature by the terms of the Multiple Dwelling Law, article I, section 4, subdivision 3, specifically omitted "a hospital, convent, monastery, asylum or public institution" from the provisions of the Multiple Dwelling Law. These buildings under appeal are not only owned, operated and serviced by the hospital and are a necessary integral part of the plant, even though separated from the main hospital buildings by a street, but are under the hospital's direct supervision and control and are occupied solely without a charged rental by members of nursing and medical staff. Under these circumstances, there is no question as to the intent of the Multiple Dwelling Law that these buildings should not be classified as multiple dwellings. There is a distinction between these buildings and a nurses' dormitory not owned, controlled or supervised by a hospital.

Adequate legal protection structurally and against fire and for the health protection of the occupants, is provided for in the Building Code and other laws and regulations. Not applying the provisions of the Multiple Dwelling Law does not mean that the lives of the occupants are endangered, if all necessary requirements are observed.

The committee recommends that the appeals be granted.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

nd

WHEREAS, this report recommended the granting of this ppeal.

Resolved, that the decision of the deputy commissioner, ivision of Housing, Department of Housing and Buildgs, dated June 23, 1938, be and it hereby is *reversed* and ıe appeal be and it hereby is *granted,* in accordance with ıe report of the committee of the board.

7-38-A.

PPLICANT—Howard Chapman, for Long Island College Hospital, owner.

UBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.

REMISES AFFECTED—117 Amity street, north side, 16 ft. 10 in. east of Henry street (Block No. 291, Lot No. 52), Borough of Brooklyn.

PPEARANCES—
For Applicant: Howard Chapman.
For Administration: Samuel Cohen, Department of Housing and Buildings.

CTION OF BOARD—Appeal granted.

HE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(607-38-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, owner, filed July 12, 1938, an appeal from a decision of the Division of Housing, Dept. of Housing and Buildings, affecting premises 117 Amity street, north side, 16 ft 10 in. east of Henry street (Block No. 291, Lot No. 52), Borough of Brooklyn; and

WHEREAS, the decision of the deputy commissioner, Division of Housing, dated May 26, 1938, reads:

"The above building of which you are reported to be the owner is now classified as a 'Heretofore Converted Class B Multiple Dwelling' and as such must comply with the provisions of the Multiple Dwelling Law, New York City Charter and the Building and Administrative Codes of the City of New York applicable thereto.

In accordance with mandatory provisions of the Multiple Dwelling Law, fill out, sign and return the enclosed registry form. Failure to do so may subject you to a fine.

Keep this notice as a duplicate will not be issued.

ITEMS:

1. Enclose with stud partitions fire-retarded or plastered on both sides the stairs leading to cellar from basement. Sec. 190.

Note—The partitions must extend from the cellar floor to the floor above and the soffits and stringers of such stairs must be fire-retarded and such stair enclosure must be equipped with a fireproof self-closing door at the bottom.

Note—When any portion of a dwelling is required to be fire-retarded such portion shall be covered with metal lath plastered with two coats of mortar or by means of other approved methods.

2. In accordance with Section 200 of the Multiple Dwelling Law, provide ventilation for the water-closet compartment in basement rear.

Note—File plans with the Department before work in started.

3. Replace the present wood floor and base with proper approved waterproof floor and base consisting of stone, slate, tile or other approved waterproof non-absorbing material in the water-closet compartment in basement-center. Sec. 200.

4. Arrange and make self-closing the doors opening from all living rooms to public halls at basement, 1, 2 and 3 stories. Sec. 189",

and

WHEREAS, a decision of the deputy commissioner, Division of Housing, dated June 22, 1938, relates that action on the decision of May 26, 1938, will be held in abeyance, in order to afford the applicant an opportunity to file an appeal with the Board of Standards and Appeals; and

WHEREAS, the building is basement and three stories (40 ft.) in height, 16.5 ft. by 50 ft. in area, of nonfireproof construction; located in a residence, "C" area district; erected in 1879 and occupied as follows: Basement—maid—1 person; 1st floor—nurses, 3 persons; 2nd and 3rd floors, nurses, 4 per floor; and

WHEREAS, this building was designed for a single family residence, but is used and has been continuously used by the hospital for housing of nurses since 1921. It is not used as a college dormitory and no part of it has been, nor is to be rented. In 1937 this building was completely renovated, new bathrooms were added, new iron steps were run from the top floor to a new bulkhead on the roof, the basement stair enclosure was covered with metal, and iron balconies were installed on both front and rear, so that every occupant above the 1st floor has, without passing through the central stair hall, a second means of egress past a party wall to an adjoining building owned by the hospital and similarly occupied. The Department of Housing and Buildings has classified the residence as a

Heretofore Converted Class B Multiple Dwelling. It is contended that the building is not a Multiple Dwelling and should be excluded from the Multiple Dwelling Law, which would impose unnecessary hardships. Although the building is part of the hospital group, it is not a public building, as it is not open to the public. No meals are cooked on the premises and heat, hot water and electricity are supplied from the central plant; and

WHEREAS, these premises were inspected by a committee of the Board, a report of which inspection was read at this hearing and is filed with Cal. No. 606-38-A and is made part of this record; and

WHEREAS, this report recommended the granting of this appeal.

Resolved, that the decision of the deputy commissioner, Division of Housing, Dept. of Housing and Buildings, dated May 26, 1938, be and it hereby is *reversed* and that the appeal be and it hereby is *granted* in accordance with the report of the committee of the Board.

608-38-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—119 Amity street, north side, 33 ft. 4 in. east of Henry street (Block No. 291, Lot No. 51), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(608-38-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, owner, filed July 12, 1938, an appeal from a decision of the Division of Housing, Department of Housing and Buildings, affecting premises 119 Amity street, north side 33 ft. 4 in. east of Henry street (Block No. 291, Lot No. 51), Borough of Brooklyn; and

WHEREAS, the decision of the deputy commissioner, Division of Housing, dated May 26, 1938, reads:

"The above building of which you are reported to be the owner is now classified as a Heretofore Converted Class B Multiple Dwelling and as such must comply with the provisions of the Multiple Dwelling Law, the New York City Charter and the Building and Administrative Codes of the City of New York applicable thereto.

In accordance with mandatory provisions of the Multiple Dwelling Law, fill out, sign and return the enclosed registry form. Failure to do so may subject you to a fine.

Keep this notice as a duplicate will not be issued.

ITEMS:

1. Arrange and make self-closing the doors opening to public halls from all living quarters at basement 1, 2 and 3 stories. Sec. 189.

2. Enclose with stud partitions fire-retarded or plastered on both sides the stairs leading to basement from cellar. Sec. 190.

Note—Partitions must extend from the cellar floor to the floor above and the soffits and stringers of such stairs must be fire-retarded and such stair enclosure must be equipped with a fireproof self-closing door at the bottom.

Note—When any portion of a dwelling is required to be fire-retarded such portion shall be covered with metal lath plastered with two coats of mortar or by means of other approved methods.

3. In accordance with Section 200 of the Multiple Dwelling Law, provide ventilation for the water-closet compartment in basement of rear and bath compartment in basement at center. File plans with the Department before work is started.

4. Replace the present wood floors with proper approved waterproof floor consisting of stone, slate, tile or other approved waterproof non-absorbing material in the bath compartment at basement center. Sec. 200."

and

WHEREAS, a decision of the deputy commissioner, Division of Housing, dated June 22, 1938, relates that action on the decision of May 26, 1938, will be held in abeyance, in order to afford the applicant an opportunity to file an appeal with the Board of Standards and Appeals; and

WHEREAS, the building is three stories and basement (40 ft.) in height, 16.5 ft. by 50 ft. in area, of non-fireproof construction, located in a residence use "C" area district; erected in 1879 and occupied as follows: Basement—orderlies, 4 persons; 1st floor—nurses, 3 persons; 2nd and 3rd floors—nurses, 4 persons per floor; and

WHEREAS, the applicant contends that this building was designed for a single family residence, but is used and has been continuously used for housing of nurses since 1930. It is not used as a college dormitory and no part of it has been, nor is to be rented. In 1937 this building was completely renovated, new bathrooms were added, new iron steps were run from the top floor to a new bulkhead on the roof, the basement stair enclosure was covered with metal, and iron balconies were installed on both front and rear, so that every occupant above the 1st floor has, without passing through the central stairhall, a second means of egress past a party wall to an adjoining building owned by the hospital and similarly occupied. The Department of Housing and Buildings has classified the residence as a heretofore converted Class B, multiple dwelling. It is contended that the building is not a multiple dwelling and should be excluded from the Multiple Dwelling Law, which would impose unnecessary hardships. Although the building is part of the hospital group, it is not a public building, as it is not open to the public. No meals are cooked on the premises and heat, hot water, and electricity are supplied from the central plant; and

WHEREAS, these premises were inspected by a committee of the Board, report of which inspection was read at this hearing and is filed with Cal. No. 606-38-A and is made part of this record; and

WHEREAS, this report recommended the granting of this appeal.

Resolved, that the decision of the deputy commissioner, Division of Housing, Department of Housing and Buildings, dated May 26, 1938, be and it hereby is *reversed*, and that the appeal be and it hereby is *granted*, in accordance with the report of the committee of the Board.

609-38-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—121 Amity street, north side, 49 ft. 10 in .east of Henry street (Block No. 291, Lot No. 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(609-38-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, owner, filed July 12, 1938, an appeal from a decision of the Division of Housing, Department of Housing and Buildings, affecting premises 121 Amity street, north side, 49 ft. 10 in. east of Henry street (Block No. 291, Lot No. 50), Borough of Brooklyn; and

WHEREAS, the decision of the deputy commissioner, Division of Housing, dated May 26, 1938, reads:

"The above building of which you are reported to be the owner is now classified as a Heretofore Converted Class B Multiple Dwelling and as such must comply with the provisions of the Multiple Dwelling Law, the New York City Charter and the Building and Administrative Codes of the City of New York applicable thereto.

In accordance with mandatory provisions of the Multiple Dwelling Law, fill out, sign and return the enclosed registry form. Failure to do so may subject you to a fine.

Keep this notice as a duplicate will not be issued.

ITEMS:

1. Arrange and make self-closing the doors opening to public halls from all living quarters at basement, 1, 2 and 3 stories. Sec. 189.

2. Enclose with stud partitions fire-retarded or plastered on both sides the stairs leading to basement from cellar. Sec. 190.

Note—Partitions must extend from the cellar floor to the floor above and the soffits and stringers of such stairs must be fire-retarded and such stair enclosure must be equipped with a fireproof self-closing door at the bottom.

Note—When any portion of a dwelling is required to be fire-retarded such portion shall be covered with metal lath plastered with two coats of mortar or by means of other approved methods.

3. In accordance with section 200 of the Multiple Dwelling Law, provide ventilation for the water-closet compartment in basement of rear and bath compartment in basement at center. File plans with the department before work is started.

4. Replace the present wood floors with proper approved waterproof floor consisting of stone, slate, tile or other approved waterproof non-absorbing material in the bath compartment at basement center. Sec. 200."

WHEREAS, a decision of the deputy commissioner, Division of Housing, dated June 22, 1938, relates that action on the decision of May 26, 1938, will be held in abeyance, in order to afford the applicant an opportunity to file an appeal with the Board of Standards and Appeals; and

WHEREAS, the building is three stories and basement (40 ft. in height, 16.5 ft. by 50 ft. in area, of non-fireproof construction, located in a residence use, "C" area district; erected in 1879 and occupied as follows: Basement—orderlies, 4 persons; 1st floor—nurses, 3 persons; 2nd and 3rd floors—nurses, 4 persons per floor; and

WHEREAS, the applicant contends that this building was designed for a single family residence, but is used and has been continuously used for housing of nurses since 1921. It is not used as a college dormitory and no part of it has been, nor is to be rented. In 1937 this building was completely renovated, new bathrooms were added, new iron steps were run from the top floor to a new bulkhead on the roof, the basement stair enclosure was covered with metal, and iron balconies were installed on both front and rear, so that every occupant above the 1st floor has, without passing through the central stairhall, a second means of egress past a party wall to an adjoining building owned by the hospital and similarly occupied. The Department of Housing and Buildings has classified the residence as a heretofore converted Class B, multiple dwelling. It is contended that the building is not a multiple dwelling and should be excluded from the Multiple Dwelling Law, which would impose unnecessary hardships. Although the building is part of the hospital group, it is not a public building, as it is not open to the public. No meals are cooked on the premises and heat, hot water, and electricity are supplied from the central plant; and

WHEREAS, these premises were inspected by a committee of the board, report of which inspection was read at this hearing and is filed with Cal. No. 606-38-A and is made part of this record; and

WHEREAS, this report recommended the granting of this appeal.

Resolved, that the decision of the deputy commissioner, Division of Housing, Department of Housing and Buildings, dated May 26, 1938, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, in accordance with the report of the committee of the board.

610-38-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—125 Amity street, north side, 82 ft. 10 in. east of Henry street (Block No. 291, Lot No. 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(610-38-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, owner, filed July 12, 1938, an appeal from a decision of the Division of Housing, Department of Housing and Buildings, affecting premises 125 Amity street, north side, 82 ft. 10 in. east of Henry street (Block No. 291, Lot No. 48), Borough of Brooklyn; and

WHEREAS, the decision of the deputy commissioner, Division of Housing, dated May 26, 1938, reads:

"The above building of which you are reported to be the owner is now classified as a Heretofore Converted Class B Multiple Dwelling and as such must comply with the provisions of the Multiple Dwelling Law, the New York City Charter and the Building and Administrative Codes of the City of New York applicable thereto.

In accordance with mandatory provisions of the Multiple Dwelling Law, fill out, sign and return the enclosed registry form. Failure to do so may subject you to a fine.

Keep this notice as a duplicate will not be issued.

ITEMS:

1. Arrange and make self-closing the doors opening to public halls from all living quarters at basement, 1, 2 and 3 stories. Sec. 189.

2. Enclose with stud partitions fire-retarded or plastered on both sides the stairs leading to basement from cellar. Sec. 190.

Note—Partitions must extend from the cellar floor to the floor above and the soffits and stringers of such stairs must be fire-retarded and such stair enclosure must be equipped with a fireproof self-closing door at the bottom.

Note—When any portion of a dwelling is required to be fire-retarded such portion shall be covered with metal lath plastered with two coats of mortar or by means of other approved methods.

3. In accordance with section 200 of the Multiple Dwelling Law, provide ventilation for the water-closet compartment in basement of rear and bath compartment in basement at center. File plans with the department before work is started.

4. Replace the present wood floors with proper approved waterproof floor consisting of stone, slate, tile or other approved waterproof non-absorbing material in the bath compartment at basement center. Sec. 200."

and

WHEREAS, a decision of the deputy commissioner, Division of Housing, dated June 22, 1938, relates that action on the decision of May 26, 1938, will be held in abeyance, in order to afford the applicant an opportunity to file an appeal with the Board of Standards and Appeals; and

WHEREAS, the building is three stories and basement (40 ft.) in height, 16.5 ft. by 50 ft. in area, of non-fireproof construction, located in a residence use "C" area district; erected in 1879 and occupied as follows: Basement—orderlies, 4 persons; 1st floor—nurses, 3 persons; 2nd and 3rd floors—nurses, 4 persons per floor; and

WHEREAS, the applicant contends that this building was designed for a single family residence, but is used and has been continuously used for housing of nurses since 1930. It is not used as a college dormitory and no part of it has been, nor is to be rented. In 1937 this building was completely renovated, new bathrooms were added, new iron steps were run from the top floor to a new bulkhead on the roof, the basement stair enclosure was covered with metal, and iron balconies were installed on both front and rear, so that every occupant above the 1st floor has, without passing through the central stairhall, a second means of egress past a party wall to an adjoining building owned by the hospital and similarly occupied. The Department of Housing and Buildings has classified the residence as a heretofore converted Class B, multiple dwelling. It is contended that the building is not a multiple dwelling and should be excluded from the Multiple Dwelling Law, which would impose unnecessary hardships. Although the building is part of the hospital group, it is not a public building, as it is not open to the public. No meals are cooked on the premises and heat, hot water, and electricity are supplied from the central plant; and

WHEREAS, these premises were inspected by a committee of the board, report of which inspection was read at this hearing and is filed with Cal. No. 606-38-A and is made part of this record; and

WHEREAS, this report recommended the granting of this appeal.

Resolved, that the decision of the deputy commissioner, Division of Housing, Department of Housing and Buildings, dated May 26, 1938, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, in accordance with the report of the committee of the board.

611-38-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—127 Amity street, north side, 99.4 ft. east of Henry street (Block No. 291, Lot No. 47), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(611-38-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, owner, filed July 12, 1938, an appeal from a decision of the Division of Housing, Department of Housing and Buildings, affecting premises 127 Amity street, north side 99.4 ft east of Henry street, (Block No. 291, Lot No. 47), Borough of Brooklyn; and

WHEREAS, the decision of the deputy commissioner, Division of Housing, dated May 26, 1938, reads:

"The above building of which you are reported to be the owner is now classified as a Heretofore Converted Class B Multiple Dwelling and as such must comply with the provisions of the Multiple Dwelling Law, the New York City Charter and the Building and Administrative Codes of the City of New York applicable thereto.

In accordance with mandatory provisions of the Multiple Dwelling Law, fill out, sign and return the enclosed registry form. Failure to do so may subject you to a fine.

Keep this notice as a duplicate will not be issued.

ITEMS:

1. Arrange and make self-closing the doors opening to public halls from all living quarters at basement 1, 2 and 3 stories. Sec. 189.

2. Enclose with stud partitions fire-retarded or plastered on both sides the stairs leading to basement from cellar. Sec. 190.

Note—Partitions must extend from the cellar floor to the floors above and the soffits and stringers of such stairs must be fire-retarded and such stair enclosure must be equipped with a fireproof self-closing door at the bottom.

Note—When any portion of a dwelling is required to be fire-retarded such portion shall be covered with metal lath plastered with two coats of mortar or by means of other approved methods.

3. In accordance with section 200 of the Multiple Dwelling Law, provide ventilation for the water-closet compartment in basement of rear and bath compartment in basement at center. File plans with the Department before work is started.

4. Replace the present wood floors with proper approved waterproof floor consisting of stone, slate, tile or other approved waterproof non-absorbing material in the bath compartment at basement center. Sec. 200."

and

WHEREAS, a decision of the deputy commissioner, Division of Housing, dated June 22, 1938, relates that action on the decision of May 26, 1938, will be held in abeyance, in order to afford the applicant an opportunity to file an appeal with the Board of Standards and Appeals; and

WHEREAS, the building is three stories and basement (40 ft.) in height, 16.5 ft. by 50 ft. in area, of non-fireproof construction, located in a residence use, "C" area district; erected in 1879 and occupied as follows: Basement—orderlies, 4 persons; 1st floor—nurses, 3 persons; 2nd and 3rd floors—nurses, 4 persons per floor; and

WHEREAS, the applicant contends that this building was designed for a single family residence, but is used and has been continuously used for housing of nurses since 1930. It is not used as a college dormitory and no part of it has been, nor is to be rented. In 1937 this building was completely renovated, new bathrooms were added, new iron steps were run from the top floor to a new bulkhead on the roof, the basement stair enclosure was covered with metal, and iron balconies were installed on both front and rear, so that every occupant above the 1st floor has, without passing through the central stairhall, a second means of egress past a party wall to an adjoining building owned by the hospital and similarly occupied. The Department of Housing and Buildings has classified the residence as a heretofore converted Class B, multiple dwelling. It is contended that the building is not a multiple dwelling and should be excluded from the Multiple Dwelling Law, which would impose unnecessary hardships. Although the building is part of the hospital group, it is not a public building as it is not open to the public. No meals are cooked on the premises, and heat, hot water, and electricity are supplied from the central plant; and

WHEREAS, these premises were inspected by a committee of the Board, report of which inspection was read at this hearing and is filed with Cal. No. 606-38-A and is made part of this record; and

WHEREAS, this report recommended the granting of this appeal.

Resolved, that the decision of the deputy commissioner, Division of Housing, Department of Housing and Buildings, dated May 26, 1938, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, in accordance with the report of the committee of the Board.

612-38-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—110-118 Amity street, southeast corner of Henry street (Block No. 296, part of Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(612-38-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, owner, filed July 12, 1938, an appeal from a decision of the Division of Housing, Department of Housing and Buildings, affecting premises 110-118 Amity street, southeast corner of Henry street (Black No. 296, part of Lot No. 5), Borough of Brooklyn; and

WHEREAS, the decision of the deputy commissioner, Division of Housing, dated May 26th, 1938, reads:

"The above building of which you are reported to be the owner is now classified as a Heretofore Converted Class B Multiple Dwelling and as such must comply with the provisions of the Multiple Dwelling Law, N. Y. City Charter and the Building and Administrative Codes of the City of New York applicable thereto.

In accordance with mandatory provisions of the Multiple Dwelling Law, fill out, sign and return the enclosed registry form. Failure to do so may subject you to a fine.

Keep this notice as a duplicate will not be issued.

ITEMS:

1. No second means of egress provided. Provide a dual means of egress for each room in the building consisting of a sprinkler system in accordance with section 187 or outside fire-escapes erected in conformity with Sec. 145. File plans with the department before work is started.

2. Provide a fire-retarded or fireproof self-closing door for the bulkhead at roof. Sec. 188.

Note—The bulkhead door may be fastened on the inside with movable hooks or bolts but no key lock or other fastening will be permitted.

Note—When any portion of a dwelling is required to be fire-retarded such portion shall be covered with metal lath plastered with two coats of mortar or by means of other approved methods.

3. Remove the keylock from the wood bulkhead door. Sec. 188.

Note—The door may only be secured by movable hooks or bolt.

4. Arrange and make self-closing the doors opening to public halls from rooms at 1, 2 and 3 stories. Sec. 189.

5. Provide proper plastered partitions extending from floor to ceiling for the water-closet compartments at 1, 2 and 3 stories and the shower compartments at 1, 2 and 3 stories. Sec. 200.

Note—Water-closet compartments shall be at least two feet four inches wide in the clear.

6. Provide proper means of night lighting for the water-closet compartment and showers at 1, 2 and 3 stories. Sec. 200."

and

WHEREAS, a decision of the deputy commissioner, Division of Housing, dated June 22, 1938, relates that action on the decision of May 26, 1938, will be held in abeyance, in order to afford the applicant an opportunity to file an appeal with the Board of Standards and Appeals; and

WHEREAS, the building is three stories (42 ft.) in height, 83 ft. by 40 ft. in area, of non-fireproof construction, located in a residence use, "C" area district; erected in 1902 and occupied as follows: Cellar—laundry and trunk storage—0 persons; 1st floor—nurses, 5 persons; 2nd and 3rd floors—nurses, 22 persons per floor; and

WHEREAS, the applicant contends that this building was designed for the housing of nurses in 1902 and is still being used for that purpose. It is not used as a college dormitory and no part of it has been, nor is to be rented. No changes are contemplated except the installation of bridges from 120 Amity street to a stairway of this building. The Department of Housing and Building of Brooklyn classify it as a heretofore converted Class B multiple dwelling. The building is not a multiple dwelling and should be excluded from the multiple dwelling law, which would impose unnecessary hardships. Although the building is part of the hospital group, it is not a public building as it is not open to the public. No meals are cooked on the premises and heat, hot water, and electricity are supplied from the central plant; and

WHEREAS, these premises were inspected by a committee of the board, report of which inspection was read at this hearing and is filed with Cal. No. 606-38-A and is made part of this record; and

WHEREAS, this report recommended the granting of this appeal.

Resolved, that the decision of the deputy commissioner, Division of Housing, Department of Housing and Buildings, dated May 26, 1938, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, in accordance with the report of the committee of the board.

613-38-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—120 Amity street, south side, 90 ft. east of Henry street (Block No. 296, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(613-38-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, owner, filed on July 12, 1938, an appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings, affecting Premises 120 Amity street, south side, 90 ft. east of Henry street (Block No. 296, Lot No. 10), Borough of Brooklyn; and

WHEREAS, the decision of the deputy Commissioner, dated May 26, 1938, reads:

"The above building of which you are reported to be the owner is now classified as a Heretofore Converted Class B Multiple Dwelling and as such must comply with the provisions of the Multiple Dwelling Law, New York City Charter and the Building and Administrative Codes of the City of New York applicable thereto.

In accordance with mandatory provisions of the Multiple Dwelling Law, fill out, sign and return the enclosed registry form. Failure to do so may subject you to a fine.

Keep this notice, as a duplicate will not be issued.

ITEMS:

1. Provide a fire-retarded or fireproof self-closing door for the bulkhead at roof. Sec. 188.

Note—The bulkhead door may be fastened on the inside with movable bolts or hooks but no key lock or other fastening will be permitted.

Note—When any portion of a dwelling is required to be fire-retarded, such portion shall be covered with metal lath plastered with two coats of mortar or by means of other approved methods .

2. Remove the keylock from the bulkhead door at roof. Sec. 188.

Note—The door may only be secured by movable hooks or bolts.

3. Properly fire-retard the inside of the bulkhead at roof. Sec. 188. (See note in re fire-retarding for Item No. 1.)

4. No second means of egress provided. Provide a dual means of egress for each room in the building consisting of a sprinkler system in accordance with section 187 or outside fire-escapes erected in conformity with section 145. File plans with the Department before work is started.

5. Replace the present cement floors and wood bases with proper approved waterproof floors and bases consisting of stone, slate, tile or other approved waterproof non-absorbing material in the water-closet compartments at 1, 2, 3 and 4 stories (four water-closets on each floor). Sec. 200.

6. Arrange and make self-closing the doors leading to public halls from rooms on 1, 2, 3 and 4 stories. Sec. 189."

and

WHEREAS, a supplemental decision of the deputy commissioner, dated June 14, 1938, reads:

"Supplementing our letter of May 26, 1938, please be advised that the orders filed against the above premises are hereby corrected and should read:

ITEMS:

1. Provide a fire-retarded or fireproof self-closing door for the bulkhead at roof. (Sec. 188.)

Note—The bulkhead door may be fastened on the inside with movable bolts or hooks but no key lock or other fastening will be permitted.

2. Remove the keylock from the bulkhead door at roof. (Sec. 188.)

Note—The door may only be secured by movable hooks or bolts.

3. Properly fire-retard the inside of the bulkhead at roof. (Sec. 188.)

Note—When any portion of a dwelling is required to be fire-retarded, such portion shall be covered with metal lath plastered with two coats of mortar or by means of other approved methods.

4. No second means of egress provided. Provide a dual means of egress for each room in the building, consisting of a sprinkler system in accordance with section 187 or outside fire-escapes erected in conformity with section 145 of the Multiple Dwelling Law. (Sec. 145 and 187.)

Note—File plans with the Division of Building before work is started.

5. Replace the present cement floors and wood bases with proper approved waterproof floors and bases consisting of stone, slate, tile or other approved waterproof, non-absorbing material in the water-closet compartments at 1st, 2nd, 3rd and 4th stories (four water-closets on each floor). Sec. 200.

6. Arrange and make self-closing the doors leading to public halls from rooms on 1st, 2nd, 3rd and 4th stories. (Sec. 189.)"

and

WHEREAS, the building is 4 stories (44 ft.) in height 27 ft. by 75 ft. in area; non-fireproof construction located in residence use, "C" area district; erected in 1916 and occupied as follows: Cellar—laundry, no persons; 1st floor—nurses, 3; 2nd, 3rd and 4th floors—nurses, 4 each floor; and

WHEREAS, the applicant contends that this building was designed for a tenement house without cooking; it is used and has been used for housing nurses since 191 It is not used as a college dormitory and no part of has been, nor is to be rented; that in 1935 this buildi was completely renovated but no structural changes we made, nor plumbing added; it is contemplated to co struct bridges across to 110-118 Amity street, own by the Hospital, and thus provide every occupant with second means of egress without passing through the centr stairhall; that the Department of Housing and Buil ings has classified the residence as a Heretofore Co verted Class B Multiple Dwelling; it is contended th the building is not a Multiple Dwelling and should excluded from the Multiple Dwelling Law, which wo impose unnecessary hardships; that althonugh the bui ing is part of the Hospital group, it is not a Pub Building, as it is not open to the public; that no me are cooked on the premises and heat, hot water and el tricity are supplied from the central plant; that th are facilities, however, in the recreation room, mak it possible for the nurses to prepare tea or other li repasts when they come off duty at odd hours; and

WHEREAS, these premises were inspected by a commit of the Board, report of which inspection was read at t

hearing and is filed with Cal. No. 606-38-A and is made part of this record; and

WHEREAS, this report recommended the granting of this appeal.

Resolved, that the decision of the deputy commissioner, Division of Housing, Department of Housing and Buildings, dated June 14, 1938, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, in accordance with the report of the committee of the Board.

614-38-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—122 Amity street, south side, 117 ft. east of Henry street (Block No. 296, Lot No. 11), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(614-38-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, Owner, filed on July 12, 1938, an appeal from decisions of the Deputy Commissioner, Division of Housing, Department of Housing and Buildings, affecting Premises: 122 Amity street, south side, 117 ft. east of Henry street (Block No. 296, Lot No. 11), Borough of Brooklyn; and

WHEREAS, the decision of the Deputy Commissioner, dated May 26, 1938, reads:

"The above building of which you are reported to be the owner is now classified as a Heretofore Converted Class B Multiple Dwelling and as such must comply with the provisions of the Multiple Dwelling Law, New York City Charter and the Building and Administrative Codes of the City of New York applicable thereto.

In accordance with mandatory provisions of the Multiple Dwelling Law, fill out, sign and return the enclosed registry form. Failure to do so may subject you to a fine.

Keep this notice, as a duplicate will not be issued.

ITEMS:

1. No second means of egress provided. Provide a dual means of egress from each room in the building consisting of a sprinkler system in accordance with Section 187 or outside fire-escapes erected in conformity with Section 145. *Note*—File plans with the Department before work is started.

2. Provide means of egress in case of fire by constructing an adequate properly supported and secured iron fire-escape balcony with proper opening and a guide-rod drop ladder at 1st story extension-rear. Sec. 145.

3. Provide a safe means of egress in case of fire by fire-retarding the ceiling directly under the roof of extension at 1st story rear. *Note*—The Department must be notified when this work is ready for inspection and the work must be approved by an inspector of this Department before it is covered. Sec. 145.

4. Arrange and make self-closing doors to public halls from rooms at 1, 2, 3 and 4 stories. Sec. 189.

5. Provide proper plastered partitions extending from floor to ceiling for the water-closet compartments at 1, 2 and 3 stories. Sec. 200.

Note—Water-closet compartments shall be at least two feet.

6. In accordance with Section 200 of the Multiple Dwelling Law, provide ventilation for the water-closets and bathrooms at 1, 2, 3 stories. *Note*—File plans with the Department before work is started.

7. Replace the present cement floors and wood bases with proper approved waterproof floors and base consisting of stone, slate, tile or other approved waterproof, non-absorbing material in the water-closet compartments at 1 and 2 stories and cellar and the wood floor and base in 3rd story water-closet compartment. Sec. 200.

8. Provide proper means of night lighting for the water-closet compartments in cellar, 1, 2 and 3 stories. Sec. 200.

9.Enclose with stud partitions, fire-retarded or plastered on both sides the stairs leading to cellar from 1st story. Sec. 190.

Note—The partitions must extend from the cellar floor to the floor above and the soffits and stringers of such stairs must be fire-retarded and such stair enclosure must be equipped with a fireproof, self-closing door at the bottom.

Note—When any portion of a dwelling is required to be fire-retarded, such portion shall be covered with metal lath, plastered with two coats of mortar or by means of other approved methods."

and

WHEREAS, a supplemental decision of the Deputy Commissioner, dated June 14, 1938, reads:

"Supplementing our letter of May 26, 1938, please be advised that the orders filed against the above premises are hereby corrected and should read:

ITEMS:

1. No second means of egress provided. Provide a dual means of egress for each room in the building consisting of a sprinkler system in accordance with Section 187, or outside fire-escapes erected in conformity with Section 145 of the Multiple Dwelling Law. (Sec. 145 and 187).

Note—File plans with the Division of Buildings before work is started.

2. Provide means of egress in case of fire by constructing an adequate properly supported and secured iron fire-escape balcony with proper opening and a guide rod drop ladder at 1st story extension—rear. (Sec. 145 and 187).

3. Provide a safe means of egress in case of fire by fire-retarding the ceiling directly under the roof of extension at 1st story, rear. (Sec. 145 and 187).

Note—The Department must be notified when this work is ready for inspection and the work must be approved by an inspector of this Department before it is covered.

4.Arrange and make self-closing the doors to public halls from rooms at 1st, 2nd, 3rd and 4th stories (Sec. 189).

5.Provide proper plastered partitions extending from floor to ceiling for the water-closet compartments at 1st, 2nd and 3rd stories.

Note—Water-closet compartments shall be at least two feet four inches wide in the clear.

6. In accordance with Section 200 of the Multiple Dwelling Law, provide ventilation for the water-closets and bathrooms at 1st, 2nd and 3rd stories (Sec. 200).

Note—File plans with the Division of Buildings before work is started.

7. Replace the present cement floors and wood bases with proper approved waterproof floors and base consisting of stone, slate, tile or other approved waterproof, non-absorbing material in the water-closet

compartment at 1st and 2nd stories and cellar, and the wood floor and base in 3rd story water-closet compartment. (Sec. 200).

8. Provide proper means of night lighting for the water-closet compartment in cellar, 1st, 2nd, 3rd stories. (Sec. 200).

9. Enclose with stud partitions fire-retarded or plastered on both sides, the stairs leading to cellar from 1st story.

Note—The partitions must extend from the cellar floor to the floor above and the soffits and stringers of such stairs must be fire-retarded and such stair enclosure must be equipped with a fireproof, self-closing door at the bottom.

When any portion of a dwelling is required to be fire-retarded, such portion shall be covered with metal lath plastered with two coats of mortar or by means of other approved methods."

and

WHEREAS, the building is basement and 3½ stories (48 ft.) in height, 25.5 ft. by 53 ft. in area; non-fireproof construction; located in a residence use, "C" area district, and occupied as follows: 1st story—nurses, 4; 2nd story—nurses, 5; 3rd story—nurses, 5; 4th story—nurses, 2; and

WHEREAS, applicant contends that this building was designed for a single-family residence, but is used and has been continuously used by the Hospital for housing of nurses, since 1924; that it is used as a college dormitory and no part of it has been, nor is to be rented; that in 1935 this building was completely renovated, a new bathroom was added and exit from top floor to roof of No. 120 Amity street, was made and a fire-escape connecting with No. 120 Amity street, was installed on the 2nd, 3rd and 4th floors. No. 120 Amity street is owned by the Hospital and similarly used. Every occupant has a second means of egress without passing through the central stairhall; that the building is not a Multiple Dwelling and should be excluded from the Multiple Dwelling Law; although the building is part of the Hospital group, it is not a public building as it is not open to the public; no meals are cooked on the premises and heat, hot water and electricity are supplied from the central plant; and

WHEREAS, these premises were inspected by a committee of the board, report of which inspection was read at this hearing and is filed with Cal. No. 606-38-A and is made part of this record; and

WHEREAS, this report recommended the granting of this appeal.

Resolved ,that the decision of the Deputy Commissioner, Division of Housing, Department of Housing and Buildings, dated June 14, 1938, be and it hereby is *reversed* and that the appeal be and it hereby is *granted,* in accordance with the report of the committee of the board.

615-38-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—149 Congress street, north side, 90 ft. east of Henry street (Block No. 296, Lot No. 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(615-38-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, owner, filed on July 12, 1938, an appeal from a decision of the deputy commissioner, Department of Housing and Buildings, affecting premises 149 Congress street, north side, 90 ft. east of Henry street (Block No. 296, Lot No. 46), Borough of Brooklyn; and

WHEREAS, the decision of the deputy commissioner, dated May 26, 1938, reads:

"The above building of which you are reported to be the owner is now classified as a Heretofore Converted Class B Multiple Dwelling and as such must comply with the provisions of the Multiple Dwelling Law, New York City Charter and the Building and Administrative Codes of the City of New York applicable thereto.

In accordance with mandatory provisions of the Multiple Dwelling Law, fill out, sign and return the enclosed registry form. Failure to do so may subject you to a fine.

Keep this notice, as a duplicate will not be issued.

ITEMS:

1. No second means of egress provided. Provide a dual means of egress for each room in the building, consisting of a sprinkler system in accordance with Sec. 187 or outside fire-escapes erected in conformity with Sec. 145.

Note—File plans with the department before work is started.

2. Provide a safe means of egress in case of fire by fire-retarding the ceiling directly under the roof of the extension at 1st story rear. Sec. 145.

Note—The department must be notified when this work is ready for inspection and the work must be approved by an inspector of this department before it is covered.

3. Provide a bulkhead and stairway to roof over public hall as per Sec. 188 and 233.

Note—File plans before work is started.

4. Replace the present wood base with proper approved waterproof base consisting of stone, slate, tile or other approved waterproof non-absorbing material in the water-closet compartments in basement, 1, 2 and 3 stories. Sec. 200.

5. Enclose with stud partitions fire-retarded or plastered on both sides the stairs leading to cellar from basement. Sec. 190.

Note—The partitions must extend from the cellar floor to the floor above and the soffits and stringers of such stairs must be fire-retarded and such stair enclosure must be equipped with a fireproof, self-closing door at the bottom.

Note—When any portion of a dwelling is required to be fire-retarded such portion shall be covered with metal lath plastered with two coats of mortar or by means of other approved methods.

6. Repair the broken and defective lath and plaster ceiling at front, rear and center of cellar ceiling. Sec. 78.

7. Provide a proper fireproof self-closing door in the door opening leading to public halls from basement, 1, 2, 3 and 4 stories. Sec. 189."

and

WHEREAS, a decision of the deputy commissioner, Division of Housing, dated June 22, 1938, relates that action on the decision of May 26, 1938, will be held in abeyance in order to afford the applicant an opportunity to file appeal with the Board of Standards and Appeals; and

WHEREAS, the building is basement and 4 stories (48 ft.) in height, 23 ft. by 50 ft. in area; non-fireproof construction; located in residence use, "C" area district, erected about 1880 and occupied as follows: Basement, maids, 2 persons; 1st story—nurses, 3 persons; 2nd story

nurses, 5 persons; 3rd story—nurses, 5 persons; 4th story—nurses, 2 persons; and

WHEREAS, applicant contends that this building was designed for a single family residence, but is used and has been continuously used by the hospital for housing of nurses since 1933; it is not used as a college dormitory and no part of it has been, nor is to be rented; that the alterations consisting of new stairs and bulkheads at the roof are being held up until this appeal has been settled; each occupant will then be provided with a second means of egress, without passing through the central stair hall; at present the rooms are not provided with the second means of egress and are vacant; that the Department of Housing and Buildings has classified the residence as a Heretofore Converted Class B Multiple Dwelling; it is contended that the building is not a multiple dwelling and should be excluded from the Multiple Dwelling Law; although the building is part of the hospital group, it is not a public building as it is not open to the public; no meals are cooked on the premises and heat, hot water and electricity are supplied from the central plant; and

WHEREAS, these premises were inspected by a committee of the board, report of which inspection was read at this hearing and is filed with Cal. No. 606-38-A and is made part of this record; and

WHEREAS, this report recommended the granting of this appeal.

Resolved, that the decision of the deputy commissioner, Division of Housing, Department of Housing and Buildings, dated May 26, 1938, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, in accordance with the report of the committee of the board.

16-38-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—359 Henry street, east side, 50 ft. south of Amity street (Block No. 296, part of Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(616-38-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, owner, filed July 12, 1938, an appeal from a decision of the Division of Housing, Department of Housing and Buildings, affecting premises: 359 Henry street, east side, 50 ft south of Amity street (Block No. 296, part of Lot No. 5), Borough of Brooklyn; and

WHEREAS, the decision of the deputy commissioner, dated May 26, 1938, reads:

"The above building of which you are reported to be the owner is now classified as a Heretofore Converted Class B Multiple Dwelling and as such must comply with the provisions of the Multiple Dwelling Law, New York City Charter and the Building and Administrative Codes of the City of New York applicable thereto.

In accordance with mandatory provisions of the Multiple Dwelling Law, fill out, sign and return the enclosed registry form. Failure to do so may subject you to a fine.

Keep this notice, as duplicate will not be issued.

ITEMS:

1. Properly fire-retard the inside of the bulkhead at roof. Sec. 188.

Note—When any portion of a dwelling is required to be fire-retarded such portion shall be covered with metal lath plastered with two coats of mortar or by means of other approved methods.

2. Provide a fire-retarded or fireproof self-closing door for the bulkhead at roof. Sec. 188.

Note—The bulkhead door may be fastened on the inside with movable bolts or hooks but no key lock or other fastening will be permitted. (See note for item No. 1.)

3. No second means of egress provided. Provide a dual means of egress for each room in the building consisting of a sprinkler system in accordance with section 187 or outside fire-escapes erected in conformity with Sec. 145.

Note—File plans with the department before work is started.

4. Provide a safe means of egress in case of fire by fire-retarding the ceiling directly under the roof of the extension at 1st story rear.

Note—The department must be notified when this work is ready for inspection and the work must be approved by an inspector of this department before it is covered. Sec. 145.

5—Repair by replacing with new, the broken and defective bottom angle iron rails on fire-escape balcony at roof—1st story rear brick extension. Sec. 145.

6. Repair by properly securing the strings of stairs to bracket at 3rd story rear fire-escapes. Sec. 145.

7. Provide proper plastered partitions extending from floor to ceiling for the water-closet and bathroom compartments at 1, 2, 3 and 4 stories.

Note—Water-closet compartments shall be at least two feet four inches wide in the cellar. Sec. 200.

8. Provide proper means of night lighting for the water-closet compartments and bathrooms at 1, 2, 3 and 4 stories. Sec. 200.

9. In accordance with Sec. 200 of the Multiple Dwelling Law, provide ventilation for the bathrooms at 1, 2, 3 and 4 stories. Sec. 200. File plans with the department before work is started.

10. Replace the present wood bases and cement floors with proper approved waterproof bases and floors consisting of stone, slate, tile or other approved waterproof non-absorb.ing material in the water-closet compartments and bathrooms on 1, 2, 3 and 4 stories. Sec. 200.

11. Replace with new, the broken and defective plaster board ceiling of cellar at front, center and rear. Sec. 78.

12. Arrange and make self-closing the doors opening to public halls from rooms at 1, 2, 3 and 4 stories. Sec. 189."

and

WHEREAS, a decision of the deputy commissioner, Division of Housing, dated June 22, 1938, relates that action on the decision of May 26, 1938, will be held in abeyance, in order to afford the applicant an opportunity to file an appeal with the Board of Standards and Appeals; and

WHEREAS, the building is 4 stories (44 ft.) in height, 22 ft. by 90 ft. in area, of non-fireproof construction, erected in 1904, located in a residence use, "C" area district and occupied as follows: 1st story—class room; 2nd floor to 4th floor inclusive—nurses, 6 persons per floor; and

WHEREAS, the applicant contends that this building was built as a four family tenement in 1904, but has been used for housing nurses since 1909. It is not used as a college dormitory and no part of it has been, nor is to be rented. In 1936 this building was renovated and the plumbing altered. There is a fire escape on the rear and it is contemplated to install balconies on the front con-

necting with 361 Henry street, so that every occupant will have a second means of egress without passing through the central stair hall. The Department of Housing and Buildings has classified the residence as a heretofore converted Class B, Multiple Dwelling. It is contended that the building is not a multiple dwelling and should be excluded from the Multiple Dwelling Law, which would impose unnecessary hardships. Although the building is part of the hospital group, it is not a public building as it is not open to the public; and

WHEREAS, these premises were inspected by a committee of the board, report of which inspection was read at this hearing and is filed with Cal. No. 606-38-A and is made part of this record; and

WHEREAS, this report recommended the granting of this appeal.

Resolved, that the decision of the deputy commissioner, Division of Housing, Department of Housing and Buildings, dated May 26, 1938, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, in accordance with the report of the committee of the board.

617-38-A.

APPLICANT—Howard Chapman, for Long Island College Hospital, owner.

SUBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.

PREMISES AFFECTED—361 Henry street, east side, 73 ft. south of Amity street (Block No. 296, part of Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Howard Chapman.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(617-38-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, owner, filed July 12, 1938, an appeal from a decision of the Division of Housing, Department of Housing and Buildings, affecting premises 361 Henry street, east side, 73 ft. south of Amity street (Block No. 296, part of Lot No. 5), Borough of Brooklyn; and

WHEREAS, the decision of the Deputy Commissioner, dated May 26, 1938, reads:

"The above building of which you are reported to be the owner is now classified as a Heretofore Converted Class B Multiple Dwelling and as such must comply with the provisions of the Multiple Dwelling Law, New York City Charter and the Building and Administrative Codes of the City of New York applicable thereto.

In accordance with mandatory provisions of the Multiple Dwelling Law, fill out, sign and return the enclosed registry form. Failure to do so may subject you to a fine.

Keep this notice as a duplicate will not be issued.

ITEMS:

1. Provide a dual means of egress for each room in the building consisting of a sprinkler system in accordance with Sec. 187 or outside fire escapes erected in conformity with Sec. 145.

2. Repair by replacing with new, the missing bolts securing strings of gooseneck ladder to roof-rear fire escapes. Sec. 145.

3. Provide a fire-retarded or fireproof self-closing door for the bulkhead at roof. Sec. 188.

Note—The bulkhead door may be fastened on the inside with movable bolts or hooks but no keylock or other fastening will be permitted.

Note—When any portion of a dwelling is required to be fire retarded such portion shall be covered with metal lath plastered with two coats of mortar or by means of other approved methods.

4. Arrange and make self-closing the bulkhead door opening to roof. Sec. 188.

5. Repair the broken and defective plaster ceiling of cellar-front rear and center. Sec. 78.

6. Enclose with stud partitions fire-retarded or plastered on both sides the stairs leading to cellar from 1st story. Sec. 190.

Note—The partitions must extend from the cellar floor to the floor above and the soffits and stringers of such stairs must be fire-retarded and such stair enclosure must be equipped with a fireproof self-closing door at the bottom. (See note in re fire-retarding for item No. 3).

7. Replace the present cement floors and wood base with proper approved waterproof floors and base consisting of stone, slate, tile or other approved waterproof non-absorbing material in the water-closet compartments at 2, 3 and 4 stories (four on each floor). Sec. 200.

8. Properly fire-retard the inside of the bulkhead at roof. Sec. 188 (See note in re fire-retarding for item No. 3).

9. Arrange and make self-closing the doors opening to public halls from rooms on 1, 2, 3 and 4 stories. Sec. 189."

and

WHEREAS, the supplemental decision of the Deputy Commissioner, dated June 14, 1938, reads:

"Supplementing our letter of May 26, 1938, please be advised that the orders filed against the above premises are hereby corrected and should read:

ITEMS:

1. Provide a duel means of egress for each room in the building consisting of a sprinkler system in accordance with Section 187 or outside fire-escapes erected in conformity with Section 145 of the Multiple Dwelling Law. (Sec. 145 and 187).

Note—File plans with the Division of Buildings before work is started.

2. Repair by replacing with new, the missing bolts securing the strings of gooseneck ladder to roof-rear fire-escapes. (Sec. 145 and 187).

3. Provide a fire-retarded or fireproof self-closing door for the bulkhead at roof. Sect. 188.

Note—The bulkhead door may be fastened on the inside with movable hooks or bolts but no key lock or other fastening will be permitted.

Note—When any portion of a dwelling is required to be fire-retarded such portion shall be covered with metal lath plastered with two coats of mortar or by means of other approved methods.

4. Arrange and make self-closing, the bulkhead door opening to roof. Sec. 188.

5. Repair the broken and defective plaster ceiling of cellar, at front, rear and center. (Sec. 78).

6. Enclose with stud partitions fire-retarded or plastered on both sides, the stairs leading to cellar from 1st story.

Note—The partitions must extend from the cellar floor to the floor above and the soffits and stringers of such stairs must be fire retarded and such stair enclosure must be equipped with a fireproof self-closing door at the bottom. (Sec. 190).

Note—When any portion of a dwelling is required to be fire retarded such portion shall be covered with metal lath plastered with two coats of mortar or by

means of other approved methods.

7. Replace the present cement floors and wood base with proper approved waterproof floors and base consisting of stone, slate, tile or other approved waterproof non-absorbing material in the water-closet compartments at 2nd, 3rd and 4th stories. (Four on each floor).

8. Properly fire-retard the inside of the bulkhead at roof. (Sec. 188).

Note—Same as at end of item No. 6, "When any portion, etc."

9. Arrange and make self-closing the doors opening to public halls from rooms on 1st, 2nd, 3rd and 4th stories. (Sec. 189)."

nd

WHEREAS, the building is 4 stories (44 ft.) in height, ft. by 73.5 ft. in area, of non-fireproof construction, lo- ted in a residence use, "C" area district and occupied as llows: First floor,—nurses, 5 persons; 2nd to 4th floors nurses, 4 persons per floor; and

WHEREAS, the applicant contends that this building was signed for a tenement house without cooking. It is used d has been used since 1913, for housing nurses. It is t used as a college dormitory and no part of it has been, r is to be rented; in 1936 this building was completely novated but no structural changes were made nor plumb- g added. It is contemplated to install balconies on the ont so as to connect with No. 359 Henry street, owned the Hospital and thus provide every occupant with a cond means of egress without passing through the cen- al stair hall. The Department of Housing and Buildings s classified the residence as a heretofore converted Class Multiple Dwelling. It is contended that the building is t a Multiple Dwelling and should be excluded from the ultiple Dwelling Law. Although the building is part of e Hospital group, it is not a public building as it is not en to the public. No meals are cooked on the premises d heat, hot water and electricity are supplied from the ntral plant. There are facilities, however, in the recre- on room making it possible for the nurses to prepare tea other light repasts when they come off duty at odd urs; and

WHEREAS, these premises were inspected by a committee the Board, report of which inspection was read at this aring and is filed with Cal. No. 606-38-A and is made rt of this record; and

WHEREAS, this report recommended the granting of this peal.

Resolved, that the decision of the Deputy Commission- Division of Housing, Department of Housing and ildings, dated June 14, 1938, be and it hereby is *reversed* l that the appeal be and it hereby is *granted,* in accord- ce with the report of the committee of the board.

-38-A.

PPLICANT—Howard Chapman, for Long Island College Hospital, owner.

UBJECT—Appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings.

REMISES AFFECTED—363 Henry street, east side, 74.5 ft. north of Congress street (Block No. 296, Lot No. 4), Borough of Brooklyn.

PPEARANCES—

For Applicant: Howard Chapman.

For Administration: Samuel Cohen, Department of Housing and Buildings.

CTION OF BOARD—Appeal granted.

HE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(618-38-A)

WHEREAS, Howard Chapman, for Long Island College Hospital, owner, filed on July 12, 1938, an appeal from decisions of the deputy commissioner, Division of Housing, Department of Housing and Buildings, affecting premises 363 Henry street, east side, 74.5 ft. north of Congress street (Block No. 296, Lot No. 4), Borough of Brooklyn; and

WHEREAS, the decision of the deputy commissioner, dated May 26, 1938, reads:

"The above building of which you are reported to be the owner is now classified as a Heretofore Converted Class B Multiple Dwelling and as such must comply with the provisions of the Multiple Dwelling Law, New York City Charter and the Building and Administrative Codes of the City of New York applicable thereto.

In accordance with mandatory provisions of the multiple dwelling law, fill out, sign and return the enclosed registry form. Failure to do so may subject you to a fine.

Keep this notice as a duplicate will not be issued.

ITEMS:

1. Remove the keylock from the bulkhead door at room. Sec. 188.

Note—The bulkhead door may only be secured by movable hooks or bolts.

2. Provide a safe means of egress in case of fire by fire-retarding the ceiling directly under the roof of extension at 1st story rear.

Note—The department must be notified when this work is ready for inspection and the work must be approved by an inspector of this department before it is covered. Sec. 145.

3. No second means of egress provided. Provide a dual means of egress for each room in the building consisting of a sprinkler system in accordance with Sec. 187, or outside fire-escapes erected in conformity with Sec. 145.

Note—File plans with the department before work is started.

4. Provide proper plastered partitions extending from floor to ceiling for the water-closet compartments at 2 and 3 stories. Sec. 200.

Note—Water-closet compartments shall be at least two feet four inches wide in the clear.

5. Replace the present cement floor and wood base with proper approved waterproof floors and base, consisting of stone, slate, tile or other approved waterproof non-absorbing material in the water-closet compartments at basement, 2 and 3 stories. Sec. 200.

6. Enclose with stud partitions fire-retarded or plastered on both sides the stairs leading to cellar from basement. Sec. 190.

Note—The partitions must extend from the cellar floor to the floor above and the soffits and stringers of such stairs must be fire-retarded and such stair enclosure must be equipped with a fireproof self-closing door at the bottom. When any portion of a dwelling is required to be fire-retarded such portion shall be covered with metal lath plastered with two coats of mortar or by means of other approved methods.

7. Provide proper means of night lighting for the water-closet compartments in basement, 2 and 3 stories. Sec. 200.

8. Replace with new, the broken and defective plaster board ceiling at front, center and rear, cellar. Sec. 78.

9. The cellar ceiling over heating plant is not fire-retarded. Fire retard the cellar ceiling over heating plant to the satisfaction of this department. Sec. 185. (See sheet attached—note No. 1.)

10. Provide a proper fireproof self-closing door for the door opening leading to public halls from basement, 1, 2, 3 and 4 stories. Sec. 189."

WHEREAS, the supplemental decision of the deputy commissioner, dated June 14, 1938, reads:

"Supplementing our letter of May 26th, 1938, please be advised that the orders filed against the above premises are hereby corrected and should read as follows:

1. Remove the keylock from the bulkead door at roof.

Note—The bulkhead door may only be secured by movable hooks or bolts (Sec. 188).

2. Provide a safe means of egress in case of fire by fire-retarding the ceiling directly under the roof of extension at 1st story, rear.

Note—The department must be notified when this work is ready for inspection and the work must be approved by an inspector of this department before it is covered (Sec. 145-187).

3. No second means of egress provided. Provide a dual means of egress for each room in the building, consisting of a sprinkler system in accordance with Sec. 187 or outside fire-escapes erected in conformity with Sec. 145 (Sec. 145-187).

Note—File plans with Division of Buildings before work is started.

4. Provide proper plastered partitions extending from floor to ceiling for the water-closet compartments at 2nd and 3rd story (Sec. 200).

Note—Water-closet compartments shall be at least 2 ft. 4 in. wide in the clear.

5. Replace the present cement floor and wood base with proper approved waterproof floors and base consisting of stone, slate, tile or other approved waterproof non-absorbing material in the water-closet compartments at basement, 2nd and 3rd stories (Sec. 200).

6. Enclose with stud partitions fire-retarded or plastered on both sides, the stairs leading to cellar from basement.

Note—The partitions must extend from the cellar floor to the floor above and the soffits and stringers of such stairs must be fire-retarded and such stair enclosure must be equipped with a fireproof self-closing door at the bottom. When any portion of a dwelling is required to be fire retarded, such portion shall be covered with metal lath plastered with two coats of mortar or by means of other approved methods.

7. Provide proper means of night lighting for the water-closet compartments in basement, 2nd and 3rd stories (Sec. 200).

8. Replace with new, the broken and defective plaster board ceiling at front, center and rear—cellar (Sec. 200).

9. The cellar ceiling over heating plant is not fire-retarded. Fire-retard the cellar ceiling over heating plant to the satisfaction of this department (Sec. 185).

Note—See attached sheet, Note 1. Arrange and make self-closing, all doors leading to public halls at the following location: Basement, 1st, 2nd, 3rd and 4th stories (Sec. 189)"

and

WHEREAS, the building is a basement and 4 stories (48 ft.) in height, 25.5 ft. by 53.3 ft. in area, of non-fireproof construction, located in a residence use, "C" area district, and occupied as follows: Basement—maid, 1 person; 1st floor—nurses, 3 persons; 2nd floor—nurses, 5 persons; 3rd floor—same, 5 persons; 4th floor—same, 2 persons; and

WHEREAS, applicant contends this building was designed for a single family residence, but is used and has been continually used by the hospital for housing of nurses since 1927. It is not used as a college dormitory and no part of it has been, nor is to be rented. In 1935 this building was completely renovated. An exit was made from the top floor to the roof of No. 361 Henry street, owned by the hospital, and fire escapes added connecting the 2nd, 3rd and 4th floors with No. 361 Henry street. Every occupant has a second means of egress without passing through the central stair hall. The Department of Housing and Buildings has classified the residence as a heretofore converted Class B multiple dwelling. The building is not a multiple dwelling and should be excluded from the Multiple Dwelling Law. Although the building is part of the hospital group, it is not a public building as it is not open to the public. No meals are cooked on the premises and heat, hot water and electricity are supplied from the central plant; and

WHEREAS, these premises were inspected by a committee of the board, report of which inspection was read at this hearing and is filed with Cal. No. 606-38-A and is made part of this record; and

WHEREAS, this report recommended the granting of this appeal.

Resolved, that the decision of the deputy commissioner, Division of Housing, Department of Housing and Buildings, dated June 14, 1938, be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, in accordance with the report of the committee of the board.

677-38-A.

APPLICANT—Hercules Liquor Products Corporation, lessee, for Lillian S. Chinlund, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—52 Sands street, northeast corner of Adams street (Block No. 66, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....

Negative .....

Absent .....

THE RESOLUTION—

(677-38-A)

WHEREAS, Hercules Liquor Products Corporation, lessee for Lillian S. Chinlund, owner, filed on July 29, 1938, an appeal from an order of the fire commissioner affecting premises 52 Sands street, northeast corner of Adams street (Block No. 66, Lot No. 7), Borough of Brooklyn; and

WHEREAS, Order No. 75857-LC, issued by the fire commissioner June 27, 1938, reads:

"Pursuant to the requirements of the rules covering the installation and use of oil burning equipment and storage of oil used in connection therewith, adopted by the Board of Standards and Appeals, the following must be done:

1. Discontinue the use of pressure auxiliary tank as burner was not approved with pressure tank equipment. Rule 16.1, Fuel Oil Rules."

and

WHEREAS, the building is 2 stories (31 ft. 6 in.) in height, 50 ft. by 119 ft. in area at first floor and 50 ft. by 115 ft. in area on the 2nd floor of fireproof construction, located in an unrestricted use district, erected in 1920 and occupied since 1932 as follows: Cellar, stock room, 1st floor, bottling and offices; 2nd floor, rectifying, 4 persons; and

WHEREAS, the applicant contends that the tank in question is not a pressure tank, but is a gravity auxiliary tank that prior to its installation 2 years ago, difficulty was encountered in operating the heating unit because of explosions, inefficient heat supply and insufficient flow of oil. In attempting to eliminate these difficulties, a new pump and a complete new suction line, burner chamber and numerous alterations were made, all of which did not eliminate same. Since the installation of the auxiliary tank in question, satisfactory results have been obtained

and it would be a hardship to discontinue the use of the present tank; and

WHEREAS, an inspection of these premises was made by the engineer of the board and an assistant inspector of combustibles of the Fire Dept., who recommended the acceptance of this installation on certain conditions.

Resolved, that the order of the fire commissioner, No. 5857-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the continuance of the use of the existing installation with 10 gallon auxiliary gravity tank, *on condition* that this shall not be under pressure and shall be vented into the vent line from the storage tank required under the rules and that said vent line shall terminate with the required goose-neck fitting required thereunder; and that in all other respects the equipment shall comply with all rules and regulations applicable thereto.

681-38-A.

APPLICANT—Van Riper Hardware Corporation, lessee.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—15 Westchester square, west side, 30 ft. south of Benson street (Block No. 3981, Lot No. 21), Borough of The Bronx.
APPEARANCES—
For Applicant: E. R. Fairdough.
For Administration: Inspector Meyer, Fire Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—

(681-38-A)

WHEREAS, Van Riper Hardware Corporation, lessee, filed on July 29, 1938, an appeal from an order of the fire commissioner affecting premises 15 Westchester square, west side, 30 ft. south of Benson street (Block No. 3981, Lot No. 21), Borough of The Bronx; and

WHEREAS, the order of the fire commissioner, No. 5109-LC, issued June 20, 1938, reads:

"With reference to your application dated March 24, 1938, for a permit to store small arms ammunition at above location, I regret to inform you that this department is without power to grant such a permit for the reason that, paints are reported stored and sold on these premises. Art. 5, Title C, Part 1 of the New York City Administrative Code prohibits the issuance of permit under such condition.

YOU ARE THEREFORE, HEREBY, ORDERED TO

1. Discontinue the storage and sale of ammunition in excess of 200 small arms cartridges on these premises."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated August 31, 1938; and

WHEREAS, the building is three stories (40 ft.) in height, 26 ft. by 95 ft. in area, of non-fireproof construction; located in a business use district; erected in 1916 and occupied as follows: Cellar—storage; 1st floor—retail store, 2 persons; 2nd floor—dwelling, 5 persons; 3rd floor—dwelling, 4 persons; for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that the ammunition in question will be stored in a metal lined box on the store floor, as shown on plans filed with this appeal; that the amount of ammunition to be stored will not exceed 5,000 rounds of ammunition and will consist approximately of the following:

2500 rounds 22 caliber—50 per box
1000 rounds 32, 38, 48 caliber—50 per box.
500—12 ga. 16 ga. shot shells—25 in a box

Resolved, that the order of the fire commissioner, No. 13109-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that there shall not at any time be stored more than 5000 rounds of ammunition for small arms; that such ammunition shall be stored in a steel safe located in the rear of the store and separated from the shelving where paint is stored by a distance of not less than 20 ft.

776-38-A-WF.

APPLICANT—Joseph M. Lonergan, for Antoinette Scocca, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—132-54 40th road (Grove street), south side, 660 ft. west of Main street (Block No. 4651, Lot No. 30), Flushing, Borough of Queens.
APPEARANCES—
For Applicant: Joseph M. Lonergan.
ACTION OF BOARD—Appeal granted.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—

(776-38-A-WF)

WHEREAS, Joseph M. Lonergan, for Antoinette Scocca, owner, filed September 7, 1938, an application for approval of the use as a parking space on premises 132-54 40th road, south side, 660 ft. west of Main street (Block No. 4651, Lot No. 30), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated September 15, 1938, on N.B. App. 6012-38, reads:

"1. Maintenance of a parking space for which all necessary permits were not secured prior to the enactment of the World's Fair Resolution is contrary to Section 9 of that Resolution unless approved by the Board of Standards and Appeals:"

and

WHEREAS, the premises consists of a plot 65 ft. by 101 ft. in area in an unrestricted use district, upon which there is located a one-story building 74 ft. by 20 ft. in area, occupied as a motor vehicle repair shop. It is proposed to occupy the balance of the lot for parking of more than five (5) motor vehicles. Premises are located in an unrestricted use district; and

WHEREAS, the applicant contends that the premises have been used for a great number of years as automobile repair shops and for parking more than five (5) motor vehicles; that there is no record of curb cut permits having been issued, although there has been a driveway in existence for a great number of years; that a necessity exists for parking space in this section to allow the parking of cars and the clearing of streets; and

WHEREAS, these premises were occupied for parking and storage of more than five (5) motor vehicles prior to the enactment of the World's Fair Resolution by the Board of Estimate and Apportionment.

Resolved, that the decision of the borough superintendent, in acting on N.B. Application No. 6012-38, be and it hereby is *reversed*, and that the appeal be and it hereby is *granted*.

810-38-A-WF.

APPLICANT—Edward C. Moore, lessee.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—135-30 Roosevelt avenue, south side, 209½ ft. west of Main street (Block No. 874, Lot No. 26), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: O. L. Solomon.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(810-38-A-WF)

WHEREAS, Edward C. Moore, lessee, filed on September 22, 1938, an application for approval of the change of occupancy from a bar and restaurant to a cabaret and restaurant, premises 135-30 Roosevelt avenue, south side, 209½ ft. west of Main street (Block No. 874, Lot No. 26), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. App. 1368-38, dated September 13, 1938, reads:

"To change occupancy from Bar-Restaurant to Cabaret Restaurant in the World's Fair Zone is contrary to section 2 of the World's Fair Resolution."

and

WHEREAS, the building is one story (15 ft.) in height, 25 ft. by 81 ft. 4⅝ in. in area, of non-fireproof construction; located in a business use, "C" area district; to be occupied as a bar restaurant and cabaret, 70 persons; and

WHEREAS, the applicant contends that he has for the past five years conducted a restaurant at 125-34 Roosevelt avenue. It is proposed to remove this restaurant to the premises which are the subject of this application. The new premises are further removed from the World's Fair than the premises previously occupied by the applicant. A considerable amount of money has been expended in equipping and furnishing the new restaurant. The New York State Liquor Authority has approved the removal to the new location. The building is designed so that half of the premises is set aside for cabaret and diningroom. This was done to meet competition from similarly operated restaurants in the vicinity. The cabaret use is necessary in order that the restaurant may be operated at a profit. The denial of this application will constitute a hardship on the lessee who has a 5-year lease with 5-year renewal option.

Resolved, that the decision of the borough superintendent, acting on N.B. App. No. 1368-38, be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that in all other respects the building and occupancy shall comply with all requirements of the Resolution of the Board of Estimate and Apportionment, No. 1, dated September 27, 1937, as to Signs.

816-38-A.

APPLICANT—Valentine Schiller, for John Von Mallen and Margaret Von Mallen, owners, and Frieda Eichberg, lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—37-02 Broadway and 32-05 37th street, southeast corner (Block No. 655, Lot No. 34), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: Valentine Schiller.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(816-38-A)

WHEREAS, Valentine Schiller, for John Von Mallen and Margaret Von Mallen, owners and Frieda Eichberg, lessee, filed September 23, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises: 37-02 Broadway and 32-05 37th street, southeast corner (Block No. 655, Lot No. 34), Long Island City, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent on Alteration Application 6983-38, dated September 21, 1938, reads:

"4. The use of part of the 2nd story of this building as a beauty parlor is contrary to decision of the board of buildings limiting use for professional use only. See Alt. 258/36. Appeal may be taken to the Board of Standards and Appeals."

and

WHEREAS, the building is 3 stories (35 ft.) in height, 25 ft. by 100 ft. in area at first floor and 25 ft. by 40 ft. in area above, of frame construction, located in a business use, "B" area district, erected in 1898 and occupied as follows: Cellar, storage; 1st floor, stores; 2nd floor—offices; 3rd floor, residence, 1 family; and

WHEREAS, it is proposed to change the occupancy of the 2nd floor to beauty parlor and office, 15 persons; Certificate of Occupancy No. 4201 was issued September 1, 1938, permitting the occupancy of the 2nd floor as professional offices; and

WHEREAS, the applicant contends that the building is equipped with steel stairs and marble treads, 3 ft. 8 in. wide, leading from entrance halls to second story; the existing certificate of occupancy allows 60 pounds live load on the 2nd floor; that the 3rd floor is occupied by only one family; the present stairs are enclosed in partitions of wood studs with metal lath, plastered on both sides at first floor only. This enclosure leads direct to the street.

Resolved, that the decision of the borough superintendent, in acting on Alteration Application No. 6983-38, be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that the requirements of the Department as to plans under Alteration Application No. 258-38 shall be complied with and that the 2nd floor shall be used solely for professional occupancy, which may include a beauty parlor; that there shall be no residential occupancy on such 2nd floor; that the residential occupancy shall be restricted to 3rd floor for one family only; and that such alteration to existing partitions on 2nd floor may be permitted, if meeting all requirements of the Building Code, as modified by this resolution and as indicated on plans filed with this appeal.

817-38-A.

APPLICANT—John B. Reschke, for George F. Fish, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—71 Beach street and 380 Washington street, northwest corner (Block No. 21, Lot No. 14), Borough of Manhattan.

APPEARANCES—
For Applicant: John B. Reschke.
For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....
Negative .....
Absent .....

MINUTES

THE RESOLUTION—

(817-38-A)

WHEREAS, John B. Reschke, for George F. Fish, Inc., wner, filed September 23, 1938, an appeal from a decision f the borough superintendent of buildings affecting prem- es 71 Beach street and 380 Washington street, northwest rner (Block No. 216, Lot No. 14), Borough of Manhat- n; and

WHEREAS, the decision of the borough superintendent of ildings, dated August 24, 1938, re Alt. App. No. 3166- 37, reads:

"3. Marquee may not run across entire building as the street is not a market street. Reconsideration de- nied."

d

WHEREAS, the building is 4 stories (48 ft.) in height, 20 by 62 ft. in area on the first floor and 20 ft. by 42 ft. area above; occupied as follows: Cellar—storage; 1st or, store, 5 persons; 2nd floor, office, 8 persons; 3rd and floor, storage, no persons; for which certificate of occu- ncy No. 18536 was issued August 8, 1932; and

WHEREAS, the applicant contends that it is proposed to tend the existing marquee across the entire front of the ilding. The building is occupied by the owner through- t. That while the premises are located outside the mar- t district, they are located nevertheless in a district given er to marketing and distribution of produce and many the adjoining buildings are equipped with marquees ex- ding across the entire frontage.

Resolved, that the decision of the borough superintendent acting on Alt. App. No. 3166-1937, Item 3, be and it reby is *modified*, and the appeal be and it hereby is *anted on condition* that the extension of marquee shall nply with all the requirements of such laws, rules and gulations applicable thereto in effect prior to January 1, 38, other than as varied herein.

-38-A.

PPLICANT—Eric Kebbon, Architect, for Board of Edu- cation, City of New York, owner.

BJECT—Appeal from a decision of the acting borough superintendent of buildings.

EMISES AFFECTED—70-94 Veronica place, west side, from Snyder avenue to Albemarle road (Block No. 5110, Lot No. 25), Borough of Brook- lyn.

PEARANCES—

For Applicant: Charles Tilgner.

TION OF BOARD—Appeal granted on condition.

E VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

E RESOLUTION—

(826-38-A)

HEREAS, Erie Kebbon, architect for the Board of Edu- aon, City of New York, owner, filed September 27, 38, an appeal from a decision of the acting borough erintendent of buildings, affecting premises 70-94 onica place, west side, from Snyder avenue to Albe- le road (Block No. 5110, Lot No. 25), Borough of ooklyn; and

HEREAS, the decision of the borough superintendent of dings on Application No. 10506-38, dated September 938, reads:

"1. Show local vents or urinals connected as per Rule 14-9-30."

n

HEREAS, the proposed building will be 4 stories (64 .6 in.) in height, 178 ft. 9 in. by 182 ft. 10 in. in area, of fireproof construction, located in a business use, "C" area district and occupied as a public school; and

WHEREAS, the applicant contends it is proposed to install a new type of urinal provided with a vent near the base, which ventilates the room through this vent into a pipe chamber. This chamber contains only the piping and fixture vents, which are all properly sealed, and is ventilated by a duct to the roof. As this chamber contains no openings, except these urinal vents, and becomes a part of this local vent, the method is better than a pipe system with individual vents for each urinal.

Resolved, that the decision of the borough superintendent in acting on App. No. 10506-38, Item 1, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the local vents shall comply with the requirements of the Building Code (Sec. 14.9.30) and that the fixture ventilation stacks shall be entirely distinct from other ventilating ducts and flues and shall extend continuously to and above the roof, but may also contain soil, waste, vent and water lines, provided such lines have no open connections within the shaft itself and are properly sealed at connection points at each floor level; that the vent stacks shall comply with the requirements of the Building Code therefor; and that nothing herein contained shall in any way relieve the owner of providing the required plumbing vents from the urinal fixtures.

828-38-A.

APPLICANT—Harold P. Zoller, for Monoboro Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—165-05 Northern boulevard, northeast corner of 165th street (Block No. 5340, Lot No. 8), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Harold P. Zoller.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(828-38-A)

WHEREAS, Harold P. Zoller, for Monoboro Corporation, owner, filed September 28, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises 165-05 Northern boulevard, northeast corner of 165th street (Block No. 5340, Lot No. 8), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Application 7088-38, dated September 22, 1938, reads:

"6. Frame extension walls of tower are contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the building will be one story (30 ft.) in height, 68 ft. by 55.9 ft. in area, irregular, of non-fireproof construction; to be located in a business use, "C" area district and occupied as follows: Cellar,—Restaurant, 118 persons; 1st floor—restaurant, 125 persons; and

WHEREAS, the applicant contends that the proposed cupola is comparatively small, extending about 15 feet above the roof ridge. It has an octagonal base 10 feet across with an upper lantern section but 6 feet in diameter. Considered as a fire hazard, the cupola is in no sense a flue. It is cut off from the room below by a metal lath and gypsum plaster partition ceiling, and on the upper side, it is closed over and covered with 16 oz. copper. All horizontal members exposed above the roof are covered with 16 oz. copper including the roof of the lantern.

Resolved, that the decision of the borough superintend-

ent in acting on N.B. App. No. 7088-38, Item 6, be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that the frame tower shall not exceed the area and dimensions set forth and shall be separated from the balance of the building with fire-retarding material and shall not be used for illuminated advertising signs.

488-37-A.

APPLICANT—Carbide and Carbon Chemicals Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from a decision of the fire commissioner relative to the manufacture, storage, sale and transportation of anti-freezes (inflammable mixtures) in non-refillable cans in New York City.

APPEARANCES—

For Applicant: Wilfred C. Roszel and H. C. Stelling.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(488-37-A)

WHEREAS, E. I. DuPont DeNemours & Co., Inc., United States Industrial Alcohol Co. and Carbide and Carbon Chemicals Corporation, applicants, filed October 14, 1937, an appeal from a decision of the fire commissioner, relative to the manufacture, storage, sale and transportation of Anti-Freezes (inflammable mixtures), in non-refillable cans within the City of New York; and

WHEREAS, the decision of the fire commissioner, dated October 8, 1937, reads as follows:

"Please be advised that this department cannot issue Certificates of Approval for the transportation or sale, and permits for the manufacture, transportation, storage or sale of the anti-freezes you refer to (inflammable mixtures) for the reason that

"'Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five (5) gallons each; cans to be fitted with a tight fitting replaceable top, cap or other device, so made that the can shall be air-tight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each.'

"NOTE: The cans for the inflammable mixtures submitted by you to this department have been disapproved."

and

WHEREAS, the applicants contend that an application was made for a certificate of approval to keep anti-freeze for sale, use and storage in sealed cans without tight fitting replaceable top, said containers not to exceed one gallon capacity; and

WHEREAS, said application was the subject of an opinion of the corporation counsel, addressed to the fire commissioner, and, also, of a decision by the Board of Hazardous Trades; that the sealed non-refillable one gallon and one quart cans now being used are safe containers; and

WHEREAS, the three corporations joining in this appeal, propose to market the anti-freeze mixtures consisting primarily of denatured alcohol *and/or methanol* with coloring matter and anti-rust compound added, through various agencies and under various trade names; and

WHEREAS, this application was granted by the board October 19, 1937, on certain conditions, resolution amended November 3, 1937, November 23, 1937, and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted October 19, 1937, as amended November 3, 1937, so that as amended it shall read as follows:

"*Resolved,* that the decision of the fire commissioner dated October 8, 1937, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* permitting the transportation, sale, storage and manufacture of anti-freeze (inflammable mixture) as described in this appeal in one gallon cans and in one quart cans without a tight-fitting replaceable top, *on condition* that there shall appear on each can, a prominent notice reading 'UPON OPENING REMOVE ENTIRE CONTENTS AT ONCE'; that each notice shall have white letters on a fire department red background or fire department red letters on a white or aluminum background; that for the balance of the year 1937 such cans as are manufactured without this notice shall bear a similar notice pasted upon each reading as herein required; that after January 1st 1938, such notice shall be part of the lithographed label on the side or top surface of the can; and that the label shall also contain the additional words:

'THIS CONTAINER FOR ANTI-FREEZE APPROVED BY THE BOARD OF STANDARDS AND APPEALS UNDER CAL. NO. 488-37-A';

that the application to the fire commissioner shall state the name of the manufacturer of such anti-freeze."

Resolved, further, that these products may be marketed in cans bearing the name and addresses of the following manufacturers or agents with their respective brand or trade names as follows:

By E. I. DU PONT DENEMOURS & CO., INC.
DuPont Zerone Anti-Rust Anti-Freeze
DuPont Five Star Anti-Freeze
By GENERAL MOTORS PARTS CORPORATION
Genuine General Motors Anti-Freeze
By U. S. INDUSTRIAL ALCOHOL CO.
Super Pyro Anti-Freeze
By CARBIDE AND CARBON CHEMICALS CORP.
Winter-Flo Anti-Freeze
Blue-Flo Anti-Freeze
By SINCLAIR REFINING CO., INC.
Sinclair Super Anti-Freeze
By SEARS, ROEBUCK & CO.
Durozone Anti-Freeze
By PURE OIL CO.
Purol Anti-Freeze
By THE GOODYEAR TIRE & RUBBER CO.
All Weather Anti-Freeze
By FIRESTONE TIRE & RUBBER CO.
Firestone Super Anti-Freeze.
By AMERICAN OIL COMPANY
Amoco Super Anti-Freeze
By TIDE WATER ASSOCIATED OIL COMPANY
Veedol High-Test Anti-Freeze.

APPLIANCE SUBMITTED FOR APPROVAL

184-38-SA.

APPLICANT—Moore and Kling, Inc., owner.

SUBJECT—Moore & Kling, 6 inch, Type D, Fill Pipe Terminal for Oil—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....
Negative .....
Absent .....

MINUTES

HE RESOLUTION—

(184-38-SA)

WHEREAS, Moore & Kling, Inc., filed March 21, 1938, an pplication with the Board of Standards and Appeals for pproval of the device known as Moore and Kling 6 inch ype D Fill Pipe Terminal for fuel oil; and

WHEREAS, this device was submitted to a committee of e board for test and report; and

WHEREAS, the report of the committee on test was as llows:

REPORT OF COMMITTEE ON TESTS

October 4, 1938.

Re: Cal. No. 184-38-SA.

Appliance: Moore & Kling Fill Pipe Terminal for Fuel Oil.

Under date of March 21, 1938, Moore & Kling, Inc., owner, filed an application with the Board of Standards and Appeals for approval of the device known as the Moore & Kling, 6 inch Type D, Fill Pipe Terminal for Fuel Oil.

This device consists of a locking fill cap screw type with a malleable iron bottom Section and a brass top section with a leather gasket. It is used for heavy oil installations which require a large fill. It is recommended that the Moore & Kling 6 inch, Type D, Fill Pipe Terminal be approved for use with fuel oil not lighter than No. 5, on condition that the terminal be located and within a substantial steel box buried flush with the grade inside the building line and that the words "No. 6 fuel oil" and "Cal. No. 184-38-SA" be marked on the cover, in three-quarter inch letters not less than one-eighth inch in height.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESILE V. HUBER,
Chief Engineer.

esolved, that the Board of Standards and Appeals does eby *approve* the device known as Moore & Kling, 6 Type D Fill Pipe Terminal, when constructed, in- ed and labeled in accordance with the report of the mmittee on tests.

MATERIAL SUBMITTED FOR APPROVAL

38-SM.

PLICANT—The Barrett Company, owner.

BJECT—Application for approval of Barrett Roofings manufactured by The Barrett Company.

PEARANCES—

For Applicant: J. C. Kratoville.

CTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

E VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

E RESOLUTION—

(827-38-SM)

WHEREAS, The Barrett Company, owner, filed Sepber 27, 1938, an application with the Board of Stand- and Appeals for approval of their materials known ie Barrett Roofings; and

WHEREAS, this material was submitted to a committee ie board for test and report; and

WHEREAS, the report of the committee on tests was as ws:

REPORT ON COMMITTEE ON TESTS

October 3, 1938.

Re: Cal. No. 827-38-SM.

Subject: Barrett Roofings.

The Barrett Co. of New York City filed with board, a request for the approval of their roofings as hereinafter described for approval under Group 16, Fire Tests of Roof Coverings, A. C. (10.1.16 B.C.). Barrett roofings are manufactured in Philadelphia, Pa., and Edgewater, N. J. A brand test of these roofings was conducted on September 21, 1938, at their plant in Edgewater, N. J., with results as follows:

TEST No. 1.

Black Diamond Specification No. 1.

This test covers Barrett Black Diamond Built-Up-Roofs consisting of one layer of 5# rosin sized sheathing, four layers of twelve pound tarred felt and three coatings of pitch (125#) with a surfacing of slag or gravel (one-quarter inch to five-eighth inch grading) embedded in top coating of pitch.

The brand burned for 21 minutes with no plies consumed and no charring of the deck, see photo No. 1. This type of roofing is also made up in the following heavier protective coatings, and for inclines not greater than 3 in. per horizontal foot:

Black Diamond Specification No. 2. . . . same as above, except using four layers of 14 lb. tarred felt and 125# of pitch.

Black Diamond Specification No. 3. . . . same as above, except using five layers of 14 lb. tarred felt, and four coatings of pitch (150#) with surfacing of slag in top coating of pitch.

Black Diamond Specification No. 4. . . . same as above, except using four layers of 15 lb. tarred felt and three moppings of pitch (125#) with slag surfacing embedded in top coating of pitch.

Black Diamond Specification No. 5. . . . same as above, except using five layers of 15 lb. tarred felt and four coatings of pitch (150#) with surfacing of slag in top coating of pitch.

TEST No. 2.

S. R. P. Specification No. 1.

This test covers Barrett S. R. P. roofs consisting of two layers of Black Diamond double plied roofing and two coatings of S. R. pitch (75#) with surfacing of slag or gravel in top coating of S. R. pitch.

The brand burned for 17 minutes, plies consumed none, and no charring of the deck, see photo No. 2. This type of roofing is also made up in the following heavier protective coatings, with incline not over 6 in. per horizontal foot:

S. R. P. Specification No. 2. . . . same as above, except using four layers of 12 lb. tarred felt and three coatings of S. R. pitch (100#) with surfacing of slag or gravel in top coating of pitch.

S. R. P. Specification No. 3. . . . same as above except using four layers of 14 lb. tarred felt and three coatings of S. R. pitch (100#) with surfacing of slag or gravel in top coating of pitch.

S. R. P. Specification No. 4. . . . same as above except using four layers of 15 lb. tarred felt and three coatings S. R. pitch (100#) with surfacing of slag or gravel embedded in top coating of pitch.

S. R. P. Specification No. 5. . . . same as above except using five layers of 14 lb. tarred felt with four coatings of S. R. pitch (125#) with surfacing of slag or gravel embedded in top coating of pitch.

S. R. P. Specification No. 6. . . . same as above, except using five layers of 15 lb. tarred felt and four coatings of S. R. pitch (125#) with surfacing of slag or gravel in top coating of pitch.

TEST No. 3.

Asphalt Built-up-Roof Specification No. 1.

This test covers Barrett asphalt built-up-roofs, consisting of four layers of 12 lb. asphalt felt and three coatings of asphalt cement (125#) with surfacing of slag or gravel embedded in top coating of asphalt.

The brand burned for 16 minutes, consuming one ply felt and no charring of deck, see photo No. 3. This type of roofing is also made up in the following heavier

protective coatings, with incline not over 6 in. per horizontal foot:

Asphalt Built-up Roof Specification No. 2. . . . same as above, except using four layers of 14 lb. asphalt felt, and three coatings of (125#) asphalt cement, with surfacing of slag or gravel embedded in top coating of asphalt.

Asphalt Built-up Roof Specification No. 3. . . . same as above, except using five layers of 14 lb. asphalt felt and four coatings of asphalt cement (150#) with surfacing of slag or gravel embedded in top coating of asphalt.

Asphalt Built-up Roof Specification No. 4. . . . same as above, except using four layers of 15 lb. asphalt felt and three coatings of asphalt cement (125#) with surfacing of slag or gravel embedded in top coating of asphalt.

Asphalt Built-up Roof Specification No. 5. . . . same as above except using five layers of 15 lb. asphalt felt and four coatings of asphalt cement (150#) with surfacing of slag or gravel embedded in top coating of asphalt.

Asphalt Built-up Roof Specification No. 6. . . . same as above except using one layer of 30 lb. asphalt felt and two layers of 14 lb. or 15 lb. asphalt felt with three coatings of asphalt (125#) with surfacing of slag or gravel embedded in top coating of asphalt.

Test No. 4.

Vitex Mineral Surfaced Specification No. 1.

This test covers Vitex 75 lb. mineral surfaced roofing applied in a coating of Barrett bituminous cement (25#) over one layer of 30 lb. asphalt felt.

The brand burned for 21 minutes consuming all plies and charring the deck slightly to a depth of 1/64 in., see photo No. 4. This type of roofing is also made up in the following heavier protective coatings with incline not over 9 in. per horizontal foot:

Vitex Mineral Surfaced Specification No. 2. . . . same as above except over two layers of 15 lb. asphalt felt and two coatings (50#) of Barrett bituminous cement.

Vitex Mineral Surfaced Specification No. 3. . . . same as above except two layers of 24 lb. asphalt felt and two coatings (50#) of Barrett bituminous cement.

Test No. 5. (Withdrawn.)

Test No. 6.

Walkover Cap Sheet Specification No. 1

This test covers Walkover cap sheet built-up roofs, consisting of one layer of rosin sized sheathing, two layers of 24 lb. asphalt felt, two coatings of Barrett bituminous cement (50#) and one layer of Walkover cap sheet roofing.

The brand burned for 33 minutes consuming all plies and charring the deck to a depth of 3/32 in. over an area of 4½ in. x 4 in. see photo No. 6. This type of roofing is also made up in the following heavier protective coatings, with incline not over 9 in. per horizontal foot:

Walkover Cap Sheet Specification No. 2. . . . same as above, except two layers of 26 lb. double thick felt.

Walkover Cap Sheet Specification No. 3. . . . same as above, except using two layers 30 lb. asphalt felt.

Walkover Cap Sheet Specification No. 4. . . . same as above except using three layers 15 lb. asphalt felt and three coatings of Barrett bituminous cement (75#).

Test No. 6A.—Withdrawn.

Test No. 7.

Barrett Asphalt Shingles (Hexagonal Type) No. 1.

This test covers Barrett asphalt shingles. . . . Hexagonal type . . . over wood sheathing.

The brand burned for 20 minutes, consuming all plies with a slight scoring of the deck, see photo No. 7. This type of shingle and the similar broad shadow shingle is also made up in the following heavier protective coatings, with incline greater than 4 in. per horizontal foot:

Barrett Asphalt Shingles (Hexagonal Type) No. 2. . . . same as above except 12-1/3 in x 36 in. in size and weighing 186 lbs. per square.

Barrett Asphalt Shingles (Hexagonal Type) No. 3. . . . same as above, except 12 in x 36 in. in size and weighing 215 lbs. per square.

Barrett Asphalt Shingles (Hexagonal Type) No. 4. . . . same as above, except 12½ in x 36 in. in size and weighing 226 lbs. per square.

Barrett Asphalt Shingles (Hexagonal Type) No. 5. . . . same as above except 13½ in x 36 in. in size and weighing 227 lbs. per square.

Same Type Broad Shadow Shingles No. 1. . . . same as above, except Broad Shadow type, 10 in 36 in. in size and weighing 170 lbs. per square.

Broad Shadow Shingles No. 2. . . . same as above except 11¼ in x 36 in. in size and weighing 1 lbs. per square.

Broad Shadow Shingle No. 3. . . . same as above except 12½ in x 36 in. in size and weighing 2 lbs. per square.

Broad Shadow Shingle Type No. 4. . . . same as above, except 12½ in. x 36 in. in size and weighing 250 lbs. per square.

These shingles to be used at inclines greater than 4 in. per horizontal foot on sidings, new roofs, and reroofing of residential buildings not more than 2 stories in height.

Test No. 8.

Barrett Asphalt Shingles (Multi Type) No. 1.

This test covers Barrett asphalt shingles of the multi type, 10 in. x 36 in. in size and weighing 210 lbs. per square.

The brand burned for 27 minutes, consuming the ply with no charring of deck, see photo No. 8. This type of shingle is also made up in the following heavier protective coatings, used with an incline on all roofs greater than 4 in. per horizontal foot and for use as a siding, roofing or reroofing:

Barrett Asphalt Shingle (Multi Type) No. 2. . . same as above, except 12½ in. x 36 in. in size and weighing 266 lbs. per square.

Barrett Asphalt Shingles (Multi Type) No. 3. . . same as above, except 12 in. x 36 in. in size and weighing 257 lbs. per square.

Barrett Asphalt Shingle (Octagonal Type). . . same as above except 11 in. x 33⅝ in. in size and weighing 195 lbs. per square.

Test No. 9.

Dublecote Asphalt Shingles, Type 1.

This test covers Barrett Asphalt Dublecote Shingles 12 in. x 36 in. in size, and weighing 217 lbs. per square.

The brand burned for 27 minutes, consuming one layer, with a slight charring of the deck over an area 1½ in. square, see photo No. 9. This type of shingle is also made up in the following heavier protective coatings, including the giant shingles, and used with incline on all roofs greater than 4 in. per horizontal foot, and for use as siding, roofing or reroofing.

Dublecote Asphalt Shingles, Type 2. . . . same as above, except 12 in. x 36 in. in size and weighing lbs. per square.

Dublecote Asphalt Shingles, Type 3. . . . same as above, except 15 in. x 36 in. in size and weighing 260 lbs. per square.

Giant Self-Spacing Shingles. . . . same as above except individual asphalt shingles 12 in. x 16 in. size providing for double coverage and weighing approximately 330 lbs. per square.

Giant Rectangular Shingles. . . . same as above, except 12 in. x 16 in. in size, providing for double coverage and weighing approximately 325 lbs. per square.

TEST No. 10.

Protexit Cap Sheet Built-up Roofing, Specification No. 1.

This test covers Protexit cap sheet built-up roofs, consisting of one layer of 5# rosin sized sheathing, two layers of 24 lb. asphalt felt, two coatings of bituminous cement (50#) and a cap sheet of Protexit cap sheet roofing.

The brand burned for 29 minutes, consuming all plies with a depth of charring of 1/32 in. over an area of 4 sq. in., see photo No. 10. This type of roofing is also made up in the following heavier protective coatings, incline not greater than 9 in. per horizontal foot.

Protexit Cap Sheet Built-up Roof Specification No. 2. . . . same as above, except using two layers of 26 lb. double thick felt.

Protexit Cap Sheet Built-up Roof Specification No. 3. . . . same as above, except using two layers of 30 lb. asphalt felt.

Protexit Cap Sheet Built-up Roof Specification No. 4. . . . same as above, except using three layers of 15 lb. asphalt felt, and three coatings of Barrett bituminous cement (75#).

TEST No. 11.

Plastico Cap Sheet Built-up Roofing, Specification No. 1. . . .

This test covers Plastico cap sheet built-up roofs, consisting of one layer of 5# rosin sized sheathing, two layers of 24 lb. asphalt felt, two coatings of bituminous cement (50#) and one layer of Plastico cap sheet roofing.

The brand burned for 23 minutes, consuming all plies, and no charring of deck, see photo No. 11. This type of roofing is also made up in heavier protective coatings, including type Everlastic, Vitex, and Panamoid, which are similar and of heavier weight than Plastico, incline not over 9 in. per horizontal foot.

Plastico Cap Sheet Built-up Roof Specification No. 2. . . . same as above, except using two layers of 26 lb. double thick felt.

Plastico Cap Sheet Built-up Roof Specification No. 3. . . . same as above, except using two layers of 30 lb. asphalt felt.

Plastico Cap Sheet Built-up Roof Specification No. 4. . . . same as above, except using three layers of 15 lb. asphalt felt, and three layers of Barrett bituminous cement (75#).

Alternate Specification on Everlastic Roofing. . . . same as above (Plastico Specification Nos. 1 to 4 inclusive), except using Everlastic roofing as a cap sheet . . . the minimum weight of the Everlastic roofing being 50 lbs. per 100 sq. ft.

Alternate Specification on Vitex Surfaced Roofing. . . . same as above (Plastico Built-up Roofing, Specification Nos. 1 to 4 inclusive) except using Vitex smooth surfaced roofing as a cap sheet . . . the minimum weight of the Vitex roofing being 45 lbs. per square.

Alternate Specification on Panamoid Roofing. . . . same as above, except using Panamoid roofing as cap sheet . . . minimum weight of the Panamoid roofing being 45 lbs. per square.

The approval of these Barrett roofings is recommended as meeting the requirements of C-26-680 A.C. (10.12.11.B.C.) for use as roofing material when installed under the specifications listed herein, and under such limitations as specified, with inclines as limited herein. It is also recommended that nothing herein shall preclude the use of *additional* plies of Barrett roofing materials, provided that the total weight of plies used *shall be more* than that approved for any specification listed herein. Barrett roofings, when manufactured for use in New York City, shall have each package or roll, marked or labeled "Approved by the Board of Standards and Appeals, Cal. No. 827-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Barrett Roofings, when manufactured, installed and labeled in accordance with the above report.

Adjourned, 5:40 P. M.

EDWARD V. BARTON, Chief Clerk.

WARNING

Notice is hereby given to all appellants and applicants, l to all lawyers, architects and engineers representing ners or lessees in proceedings before the board—

First, That if they do not appear in person or by repentative at the hearing of their case, dismissal for lack prosecution is likely to result.

Second, That due and ample notice of the date set for ring is provided in the publication in this BULLETIN of calendars of the board, each case being set down by endar Number and premises under the date of the ring.

Third, That no plea of ignorance of the date of the ring can be entertained in view of this publication and the posting of the calendars on the bulletin board in the offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendancy of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

MULTIPLE DWELLING LAW ON SALE

opies of the Multiple Dwelling Law are now on sale at Distribution Division of the City Record Office, Room 3, Municipal Building, Manhattan. Price 50c; by mail 54c.

opies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths (⅞) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half (2½) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth (¼) of one (1) per cent of steel mesh;

(b) Two and one-half (2½) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half (½) inch plaster boards, or three-eighths (⅜) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter (¼) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches centers;

(c) Metal lath weighing not less than three poun per square yard, attached to furring strips and plaster with Portland cement mortar at least three-quarte (¾) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ce ings in non-fireproof buildings used as garages, motor vel cle repair shops or oil selling stations shall be attached wood floor beams and girders in such manner as to mai tain an air space between the wood beams and all wo beams shall be seasoned before applying the protective co

Rule 6. Openings in Fire-Retarding Floors. Pi or conduits which pass through floors shall be fitted w metal thimbles and made watertight for a height of thi (3) inches above the floor.

Rule 7. Columns. All structural posts and colum in non-fireproof buildings required to be fire-retarded sh be protected with fire-retarding materials specified for c ing coverings in these rules, or with any of the materi accepted in fireproof construction; except that an air sp shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical jury, the fire-retarding protection on columns shall jacketed to a height of five (5) feet from the ground w No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof bui ings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings these rules, or with any of the materials acceptable in fi proof construction; except that an air space need not provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways vertical shafts in non-fireproof business buildings hereaf converted to be used as garages, motor vehicle repair sh or oil selling stations shall be enclosed in fire-retarding titions continued through the non-fireproof floor const tion, and when unfilled wood stud partitions are used, space between the floor beams shall be fire-stopped v incombustible materials. All openings in such partiti shall be protected with accepted metal-covered fire dc or windows. Wherever necessary for protection aga mechanical injury, the partition shall be jacketed to a he of five (5) feet on the garage side with No. 4 U. S. ga metal. Any one of the following forms of partitions s be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not m than sixteen (16) inches on centers, covered both s with metal lath weighing not less than three pounds square yard, attached to furring strips and plast with Portland cement mortar at least three-quar (¾) of an inch thick;

(b) Two by four inch wood studs placed not n than sixteen (16) inches on centers, covered both s with seven-eighths (⅞) inch wood sheathing, one- (½) inch plaster boards with pointed joints and N U. S. gauge sheet metal with one-inch lapped sear

(c) Two by four inch wood studs spaced not n than sixteen (16) inches on centers, covered both s with seven-eighths (⅞) inch wood sheathing, thicknesses of one-quarter (¼) inch asbestos bo laid with tight staggered joints and jacketed with 16 U. S. gauge metal on the garage side to a heigh five (5) feet;

(d) Two by four inch wood studs spaced not r than sixteen (16) inches on centers, filled in so between the studs with four inches of approved proof materials and covered on both sides with N U. S. gauge metal;

(e) Existing wood stud, lath and plaster parti covered on the garage side with No. 26 U. S. g sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. MCELLIGOTT
EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Certiorari Order Served on Board.

Court Decision.

Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting, October 11, 1938, at 10 A. M., Affecting Calendar Numbers 666-38-BZ, 731-38-BZ, 801-38-BZ and 470-38-A.

Minutes of Regular Meeting, October 11, 1938, at 2 P. M., Affecting Calendar Numbers 583-38-BZ, 574-28-BZ, 174-36-BZ, 514-24-BZ, 477-27-BZ, 159-36-BZ, 181-36-BZ, 266-36-BZ, 170-37-BZ, 766-38-A, 786-38-A, 841-38-A, 769-38-A, 781-38-A, 789-38-A, 811-38-A, 812-38-A, 813-38-A, 814-38-A, 815-38-A, 822-38-A, 843-38-A, 845-38-A, 847-38-A, 859-38-A, 860-38-A, 861-38-A, 862-38-A, 863-38-A, 864-38-A, 131-34-A, 314-34-A, 513-38-A, 554-38-A, 707-38-A, 823-38-A, 675-38-SA, 169-38-SM, 291-38-SM, 341-38-SM and 620-38-SM.

Notice of Public Hearing on Proposed Rules Relative to Submerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply.

Approved Fireline Hose Valves.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

THE LIBRARY OF THE
1939
UNIVERSITY OF ILLINOIS

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to October 11, 1938

Cal. No.	*Department*	*Premises Affected*
845-38-A	H.B.Q.	107-12 Cross Bay boulevard, west side, 87.71 ft. south of 107th avenue (Block 9160, Lot 235), Ozone Park, Borough of Queens, Alt. 5678-38.
846-38-SM		Arco Full Flow Wrought Copper Fittings and Arco Copper Pipe, manufactured by American Radiator Company, Material.
847-38-A	H.B.B.	234-244 81st street (240 displayed), south side, 340 ft. west of Third avenue (Block 5996, Lot 21), Borough of Brooklyn, Alt. 13169-38.
848-38-BZ	H.B.B.	2942-2948 Avenue U and 2102-2112 Haring street, southwest corner (Block 7363, Lot 5), Borough of Brooklyn, N.B. 12891-38.
849-38-SM		Century Cement, manufactured by Century Cement Manufacturing Company, Inc., Material.
850-38-A	H.B.Q.	North side of Walling street, 100 ft. east of Northern boulevard (rear of lot); (southeast corner of Sybilla street and Viola place); (Block 3895, Lot No. 1), Forest Hills, Borough of Queens, Decision.
851-38-A	H.B.Q.	East side of Northern boulevard, 92 ft. north of Walling street (east side of Sybilla street, north lot line, southeast corner of Viola place); (Block 3895, Lot 29), Forest Hills, Queens, Decision.
852-38-A	H.B.Q.	North side of Walling street, 100 ft. east of Northern boulevard (northwest side of Walling street and Wanda place); (Block 3895, Lot 1 (front of lot); Forest Hills, Borough of Queens, Decision.
853-38-A	H.B.Q.	Northwest corner of Walnut street and 71st (Continental) avenue (Block 2805, Lot 1), Forest Hills, Borough of Queens, Decision.
854-38-A	H.B.Q.	90-20 70th drive (Wanda place), east side, 353 ft. 5 in. south of Metropolitan avenue (Block 3896, Lot 56), Forest Hills, Queens, Decision.
855-38-A	H.B.Q.	North side of Walling street, 150 ft. east of Northern boulevard (north side of Walling street, 180 ft. east of westerly lot line); (Block 3895, Lot 34 and part of Lot 35), Forest Hills, Borough of Queens, Decision.
856-38-A	H.B.Q.	North side of Walling street, 200 ft. east of Northern boulevard (northwest corner of Walling street and Wanda place); (Block 3895, Lot 35), Forest Hills, Borough of Queens, Decision.
857-38-SA		"E-Z" Range Connector, Appliance.
858-38-BZ	H.B.Bx.	3513-3515 Jerome avenue, west side, 180.44 ft. south of Gun Hill road (Block 3324-B, Lot 142), Borough of The Bronx, B.N. 840-38.
859-38-A	H.B.Q.	58-50 and 58-56 213th street, west side, 498 ft. and 539 ft., south of 58th avenue (Block 7463 Lot 1), Bayside, Borough of Queens. N.B. 6871-38 and N.B. 6895-38
860-38-A	H.B.Q.	58-49 and 58-55 213th street, east side, 498 ft. and 539 ft., south of 58th avenue (Block 7464 Lot 1), Bayside, Borough of Queens, N.B. 6869-38 and N.B. 6889-38
861-38-A	H.B.B.	1037-1049 51st street, northeast corner Fort Hamilton Parkway (Block 5646, Lot 30) Borough of Brooklyn, Applic. 14582-38
862-38-A	H.B.B.	1042-1052 50th street, southeast corner of Fort Hamilton Parkway (Block 5646, Lot 30), Borough of Brooklyn, Applic. 14583-38
863-38-A	H.B.Q.	East side 40th street, 200 south of 47th avenue (Block 861, Lot 24), Long Island City, Borough of Queens, N.B. 5697-
864-38-A	H.B.B.	2069-2083 85th street, northwest corner of 21st avenue (Block 6334, Lot 45), Borough of Brooklyn, Applic. 14802-
865-38-BZ	H.B.M.	450-458 West 34th street, south side, 175 ft. 9½ in. east of 10th avenue (Block 731, Lots 13, 14, 15, 17 and 72), Borough of Manhattan, Decision
866-38-BZ	H.B.Q.	21-21 31st street, east side, 225 south of 21st avenue (Block 831, Lots 20-24 incl.), Astoria, Borough of Queens, N.B. 7764
867-38-S	F.D.	10-24 Dwight street, 5-21 Delevan street and 1-19 Verona st

CALENDAR

(Block 523, Lot 18), Borough of Brooklyn,
582L.F. and Decision.

68-38-A.....H.B.B.....1585 Pitkin avenue, north side, 53 ft. west of Amboy street (Block 3495, Lot 36), Borough of Brooklyn,
Applic. 11600-38.

69-38-BZ.....H.B.Q.....116-51 219th street and 219-01 Linden boulevard, northeast corner (Block 2153, Lots 6-10 incl.), St. Albans, Borough of Queens, N.B. 4342-38.

70-38-SM.....Barber Built-Up Roofs and Asphalt Shingles, manufactured by Barber Asphalt Corporation, Material.

71-38-SM.....Dardelet Self-Locking Rivet Bolt, manufactured by Dardelet Threadlock Corporation, Material.

72-38-SM.....Brickote, manufactured by The Brickote Company, Material.

73-38-BZ.....H.B.Q.....67-18 Interborough parkway, south side, 83 ft. west of Cypress Hills street (road); (Block 3740, Lot 250), Glendale, Borough of Queens,
N.B. 6457-38 and
N.B. 6458-38.

Restored to Calendar

4-38-A.....H.B.M.....594-606 Eleventh avenue, east side between West 44th street and West 45th street (Block 1079, Lots 2, 8, 56 and 52), Borough of Manhattan,
N.B. 275-37.

SIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department and F.D.—Fire Department.

CERTIORARI ORDER SERVED ON BOARD OF STANDARDS AND APPEALS

On October 13, 1938, Abram Shleftstein, attorney, served on writ petition and order of certiorari for Richard H. Bruchhausen, owner, in re decision of Board of September 20, 1938, denying gasoline station on same block and within 200 ft. of school, Cal. No. 694-38-A, premises 30-36 Henry street, northwest corner of Middagh street, Borough of Brooklyn.

COURT DECISION

In re Mowry—on June 14, 1938, Board denied application for a gasoline station, under section 21, in business district, Cal. No. 493-37-BZ, at premises 71-20 to 71-32 Roosevelt avenue, southwest corner of 72nd street, Jackson Heights, Borough of Queens. Mr. Justice Furman reversed Board's decision (N. Y. L. J. Oct. 8, 1938).

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules	Oct. 4, 1938—Vol. 23, No. 40
Certificate of Occupancy, approved form	Aug. 23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 13, 1938—Vol. 23, No. 37
Fire Alarm Rules (Interior)	Oct. 4, 1938—Vol. 23, No. 40
Fire Drill Rules	Aug. 9, 1938—Vol. 23, No. 32
Fire Retarding Rules for Garages, etc.	Oct. 11, 1938—Vol. 23, No. 41
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Aug. 23, 1938—Vol. 23, No. 34
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Oil Burner Rules	Aug. 30, 1938—Vol. 23, No. 35
Paint, Varnish and Lacquer Spraying Rules	Sept. 13, 1938—Vol. 23, No. 37
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract C.O.	Sept. 27, 1938—Vol. 23, No. 39
Smoking in Factories, Rules for	Sept. 13, 1938—Vol. 23, No. 37
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves	Oct. 18, 1938—Vol. 23, No. 42
Fuel Oil Burners for Domestic and Commercial Use	Aug. 30, 1938—Vol. 23, No. 35
Fuel Oil Fill Pipe Terminals	Aug. 23, 1938—Vol. 23, No. 34
Fuel Oil Burners for Industrial Use	Aug. 30, 1938—Vol. 23, No. 35
Fuel Oil Pumps	Aug. 30, 1938—Vol. 23, No. 35
Paint, Varnish and Lacquer Spraying Equipment	Sept. 13, 1938—Vol. 23, No. 37
Range Oil Burners and Space Heaters	Aug. 9, 1938—Vol. 23, No. 32

OCTOBER 18, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October* 18, 1938, at 10 o'clock, in Room 1013, Municipal Building on the following matters:

CAL. NO. 608-37-BZ—Application, December 21, 1937, under sections 7h and 21 of the building zone resolution of Patrick J. Keating, lessee, on behalf of First Methodist Episcopal Church, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 142-17 Roosevelt avenue, north side, 150.83 ft. east of Union street (Block No. 5020. Lot No. 49), Flushing, Borough of Queens.

CAL. NO. 694-38-BZ—Application, August 4, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Gulf Oil Corporation, owner, to permit in a business use district the extension of an existing gasoline service station; premises 85-06 Queens boulevard and 86-71 Grand avenue, southwest corner (Block No. 2477, Lot No. 16), Elmhurst, Borough of Queens.

CAL. NO. 685-38-BZ—Application, August 3, 1938, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer,

CALENDAR

applicants, on behalf of Gulf Oil Corporation, owner, to permit partly in a business use district and partly in a residence use district the reconstruction and extension of an existing gasoline service station; premises 112-02 to 112-12 Northern boulevard, southeast corner of 112th street (Block No. 1727, Lot Nos. 1 and 5), Corona, Borough of Queens.

CAL. NO. 657-38-BZ—Application, July 21, 1938, under section 21 of the building zone resolution, of B. Robert Swartburg, applicant, on behalf of Airport Land Corporation, owner, to permit in a residence use district the erection and maintenance of forty-five (45) individual garages; premises 21-45 76th street, east side, 102 ft. north of Ditmars boulevard (Block No. 972, part of Lot No. 12), Astoria, Borough of Queens.

CAL. NO. 678-38-BZ—Application, July 27, 1938, under section 21 of the building zone resolution, of Albert Goldhammer, applicant, on behalf of Transboro Realty Corporation, owner, to permit in a residence use, "B" area district the construction of a building (multiple dwelling) having a rear yard starting at a higher level than permitted by the building zone resolution; premises 1555 Sheridan avenue, west side, 236.73 ft. south of Mount Eden avenue (Block No. 2821, Lot Nos. 61, 63 and 64), Borough of The Bronx.

CAL. NO. 730-38-BZ—Application, August 22, 1938, under sections 7h and 21 of the building zone resolution, of Grochl and Monness, applicants, on behalf of Shakbro Realty Corporation, owner, to permit partly in a residence use district and partly in a business use district the parking and storage of more than five (5) motor vehicles; premises northeast corner of West 187th street and Amsterdam avenue (Block No. 2149, part of Lot No. 108), Borough of Manhattan.

CAL. NO. 711-38-BZ—Application, August 10, 1938, under section 21 of the building zone resolution, of George M. Glassgold, applicant, on behalf of Midtown Construction Corporation, owner, to permit partly in a business use district and partly in an unrestricted use district the erection and maintenance of a garage for more than five (5) motor vehicles; premises 16-18 Tiemann place, south side, 200 ft. east of Broadway (Block No. 1981, Lot No. 58), Borough of Manhattan.

CAL. NO. 582-38-BZ—Application, July 8, 1938, under section 21 of the building zone resolution, of Charles H. Pfaff, applicant, on behalf of Justine Schwab, owner, to permit in a business use district the extension of an existing gasoline service station; premises 222-45 to 222-47 Braddock avenue (Rocky Hill road), northwest corner of Sabre street (Block No. 7967, Lot No. 39 and part of Lot No. 41), Queens Village, Borough of Queens.

CAL. NO. 416-38-BZ—Application, May 27, 1938, under sections 7a and 21 of the building zone resolution, of Emanuel H. Jerabek, applicant, on behalf of Josephine Pokorny, owner, to permit in a business use district, the extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and also, a motor vehicle repair shop; premises 162-42 to 162-44 Pidgeon Meadow road (Fresh Meadow road), west side, 235.23 ft. north of Laburnum avenue (Block No. 5461, Lot Nos. 44, 46, 47 and 49), Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 18, 1938, 2 P. M.

Appeals from Administrative Orders

758-38-A—341 Broadway, west side, 83 ft. 5 in. north of Worth street (Block No. 173, Lot No. 30), Borough of Manhattan.

761-38-A—118 Chambers street, south side, 112 ft. 11½ in. west of Church street (Block No. 136, Lot No. 23), Borough of Manhattan.

768-38-A—536-540 West 46th street, south side, 275 ft. east of 11th avenue (Block No. 1074, Lot No. 49), Borough of Manhattan.

799-38-A—863 Lenox road, north side, 51 ft. 6 in. east of East 53rd street (Block No. 4640, Lot No. 28), Borough of Brooklyn.

825-38-A—645 East 183rd street, north side, 75 ft. east of Hughes avenue (Block No. 3087, Lot No. 35), Borough of The Bronx.

780-38-A—60-62 Warren street, northeast corner of West Broadway (Block No. 136, Lot No. 15) Borough of Manhattan.

807-38-A—529-533 Fifth avenue, northeast corner 14th street (Block No. 1035, Lot No. 1), Borough of Brooklyn.

829-38-A—Transportation, sale, storage and manufacture of Anti-Freeze "Koldpruf" (inflammable mixture) in non-refillable cans in New York City.

886-38-A—2382-2386 Davidson avenue, east side, 80 ft. north of West 184th street (Block No. 3199, Lots Nos. 53 and 57), Borough of The Bronx.

732-38-A—321 East Tremont avenue, north side, 125.1 ft. east of Anthony avenue (Block No. 2814, Lot No. 17), Borough of The Bronx.

804-38-A—499-507 Carroll street, north side, 200 ft. east of Third avenue and 530-570 President street (Block No. 448, Lot Nos. 13 and 18), Borough of Brooklyn.

Variation of Labor Law

891-38-S—1809-1817 Carter avenue, west side, 113.31 ft. north of Prospect place (Block No. 28[illegible] Los Nos. 59 to 63, inclusive), Borough of The Bronx.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October* 18, 1938, at 2 o'clock, in Room 1013, Municipal Building on the following matters, except cases which have been

CALENDAR

eard and on which decision has been reserved without rther argument, pending an inspection and a report with commendation by the committee of the board:

AL. NO. 99-33-BZ—Application of Seelig and Finkelstein, applicants, on behalf of New York Rapid Transit Corporation, owner, reopened September 20, 1938, for consideration as to extension of permit—permit having expired by limitation—re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the use and occupancy of a vacant plot of ground as an open air parking space for more than five (5) motor vehicles for a temporary period; premises 3068-3074 Ocean parkway, west side, 283 ft. 7 in. north of Sea Breeze avenue (Block No. 7282, part of Lot Nos. 57 and 60), Borough of Brooklyn.

AL. NO. 332-38-BZ—Application, May 3, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of John F. Trommer, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 1605-1615 Bushwick avenue, northeast corner of Stewart street (Block No. 3475, Lot No. 50), Borough of Brooklyn.

.. NO. 537-37-BZ—Application, November 15, 1937, under sections 7h and 21 of the building zone resolution of Isidore Beerman, applicant, on behalf of Schulte Realty Company, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 72-01 to 72-17 Roosevelt avenue, north side, 100 ft. west of 73rd street and 7216 to 7230 Broadway (Block No. 1283, Lot Nos. 72, 80, 90, 93, 97, 99 and part of 84), Jackson Heights, Borough of Queens.

NO. 461-37-BZ—Application of Manhattan Parking Corporation, applicant and lessee, on behalf of New York Life Insurance Company, owner, reopened October 4, 1938, for consideration as to amendment of resolution adopted by the board on July 12, 1938—re application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 247-261 Madison avenue, east side, from East 38th street to East 39th street (Block No. 868, Lot Nos. 22, 23, 24 and 25 and part of Lot Nos. 20, 54, 55 and 56), Borough of Manhattan.

NO. 731-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Fred B. McDuffee, Director, Bureau of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of an extension to an existing garage for the storage of more than five (5) motor vehicles; premises 535-543 East 120th street, northwest corner of East River drive (Block 1817, part of Lot No. 13), Borough of Manhattan.

CAL. NO. 583-38-BZ—Application, July 8, 1938, under section 7h of the building zone resolution of Harry Yahr, applicant, on behalf of The Mutual Life Insurance Company of New York, owner, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 25, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October* 25, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 570-38-BZ—Application, July 5, 1938, under section 7a of the building zone resolution, of Robert Gottlieb, applicant, on behalf of Stanley K. Malouf, owner, to permit in a residence use district the erection and maintenance of a business building (stores and offices above); premises 791-793 St. Nicholas avenue, west side, 51 ft. south of West 150th street (Block No. 2064, Lot Nos. 33 and 34), Borough of Manhattan.

CAL. NO. 456-37-BZ—Application, September 23, 1937, under section 7h of the building zone resolution, of Wallace F. McLendon, applicant, on behalf of Fannie Gise, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4866 Broadway, east side, 125 ft. south of West 204th street (Block No. 2234, Lot Nos. 14 and 15), Borough of Manhattan.

CAL. NO. 490-37-BZ—Application, October 14, 1937, under sections 7h and 21 of the building zone resolution, of Louis Werthheimer, applicant and lessee, on behalf of Estate of J. Romaine Brown, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 246 Nagle avenue,

CALENDAR

southwest corner of West 204th street (Block No. 2218, Lot No. 25), Borough of Manhattan.

CAL. NO. 554-37-BZ—Application, November 23, 1937, under section 7h of the building zone resolution, of Smith and Weber, applicants and lessees, on behalf of Board of Transportation, City of New York, owner, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 896-908 Eighth avenue, 260-266 West 54th street, southeast corner and 255 West 53rd street (Block No. 1025, Lot No. 3), Borough of Manhattan.

CAL. NO. 629-38-BZ—Application, July 15, 1938, under section 21 of the building zone resolution, of Francis Fargo, applicant and lessee, on behalf of Robert Goelet and Duke of Roxburghe, owners, to permit in a residence use district, for a temporary period of three (3) years, the use of a plot of ground as tennis and badminton courts; premises 178-180 East 78th street, south side, 100 ft. west of Third avenue and 173-175 East 77th street (Block No. 1412, part of Lot No. 33), Borough of Manhattan.

CAL. NO. 602-37-BZ—Application, December 20, 1937, under section 7h of the building zone resolution, of William Debus, applicant, on behalf of Katharine Hentschel, owner, to permit in a busness use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 25-33 Irving avenue and 343-347 Jefferson street, northeast corner (Block No. 3167, Lot Nos. 1 and 3), Borough of Brooklyn.

CAL. NO. 604-37-BZ—Application, December 20, 1937, under section 7h of the building zone resolution, of Marjorie Macormack, applicant, on behalf of Estate of A. S. Robbins, owner (William Macormack, lessee), to permit in a business use district the maintenance of a parking space for the parking and storage of more than five (5) motor vehicles; premises 266-282 Clarkson avenue, south side, 89 ft. 7½ in. west of Nostrand avenue (Block No. 5066, Lot Nos. 41 and 46), Borough of Brooklyn.

CAL. NO. 428-38-BZ—Application, May 31, 1938, under sections 7a and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Colonial Beacon Oil Co., Inc., owner, to permit the erection of an extension to an existing building on a plot located partly in an unrestricted use district and partly in a business use district occupied by an existing gasoline service station; premises 127-32 to 127-48 Northern boulevard, south side, 40.02 ft. east of 127th place (Block No. 1829, Lot No. 21), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 25, 1938, 2 P. M.

Appeals from Administrative Orders

832-38-A—South side of Eliot avenue, 626 ft., 644 ft. and 667 ft. west of 84th street (Block No. 2941, Lot No. 1), Elmhurst, Borough of Queens.

836-38-A—153-23 Locke avenue, north side, 205 ft. west of 155th street and 154-05 Locke avenue, north side, 171 ft. west of 155th street (Block No. 4723, part of Lot No. 1), Whitestone, Borough of Queens.

786-38-A—1062 (1058 displayed) 55th street, south side, 184 ft. 8 in. west of 11th avenue (Block No. 5681, Lot No. 26), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October* 25, 1938, at 2 o'clock, in Room 1013, Municipal Building on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 624-26-BZ—Application of Apa Realty Corporation, applicant and owner, reopened September 27, 1938 for consideration as to extension of permit—re Application, granted on condition, under section 7f of the building zone resolution permitting in a business use district the maintenance of a gasoline service station (erected under a temporary variation granted by the board for a temporary period); premises southwest corner of Kissena boulevard (road) and Horace Harding (Nassau) boulevard (Block No. 2167, Lot No. 35), Flushing, Borough of Queens.

CAL. NO. 666-38-BZ—Application, July 26, 1938, under section 7g and 21 of the building zone resolution, of Benjamin Braunstein, applicant on behalf of Sunnyside Building Corporation, The East New York Savings Bank and Estate of Andrew Wischert (Charlotte Power and Veronica Wischerth, executrices), owners, to permit in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles to be operated in conjunction with a proposed multiple dwelling; premises 10-125 Sunnyside avenue north side, 2 ft. 1 in. east of Miller avenue (Block No. 3885, Lot Nos. 10, 12 and 41 and part of Lot No. 100), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 28, 1938, 10 A. M.

RULES

835-38-SR—Proposed Rules relative to Submerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply

CALENDAR

NOVEMBER 1, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standds and Appeals of a public hearing under the provisions the building zone resolution, *Tuesday morning, Novemr* 1, 1938, at 10 o'clock, in Room 1013, Municipal Buildg, on the following matters:

L. NO. 552-38-BZ—Application, June 28, 1938, under section 21 of the building zone resolution, of W. J. Cherry, applicant, on behalf of Antur Holding Corporation, owner, to permit partly in an unrestricted use district and partly in a residence use district and also "B" area district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also the omission of the required nue, west side, 152.59 ft. north of East 156th street (Block No. 2458, Lot No. 124), Borough of The Bronx.
rear yard; premises 777 Sheridan ave-

. NO. 509-38-BZ—Application, June 20, 1938, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Tidewater Associated Oil Company, owner, to permit partly in a business use district and partly in a residence use district the demolition of an existing building and the erection of a new building to be used as an office and lubritorium in connection with an existing gasoline service station; premises 202-01 Rocky Hill road, northeast corner of 202nd street (Block No. 5561, Lot Nos. 10, 13 and 62), Bayside, Borough of Queens.

CAL. NO. 480-38-BZ—Application, June 10, 1938, under section 7h of the building zone resolution, of Joseph Lau, applicant, on behalf of Henry C. Schooff, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-43 Snyder avenue, north side, 150 ft. west of Bedford avenue (Block No. 5103, Lot No. 91), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 1, 1938, 2 P. M.

Appeals from Administrative Orders

766-38-A—402-412 Bleecker street and 291 West 11th street, northwest corner (Block No. 623, Lot Nos. 8-10), Borough of Manhattan.

841-38-A—50 Bond street, north side, 131.9 ft. west of Bowery (Block No. 530, Lot No. 43), Borough of Manhattan.

NOVEMBER 15, 1938, 2 P. M.

Appeal from Administrative Order

306-38-A—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 11, 1938

resent: Chairman Murdock, Commissioners Savage and m and Assistant Chief Walsh.
he minutes of the regular meeting of the board held on sday morning, September 27, 1938, and the minutes of regular meeting of the board held on Tuesday afternn, September 27, 1938, were approved as printed in Bul- No. 40, Vol. 23.

BUILDING ZONE CASES

38-BZ.

PLICANT—Benjamin Braunstein, for Sunnyside Building Corporation, The East New York Savings Bank and Estate of Andrew Wischerth, owners, Charlotte Power and Veronica Wischerth, executrices.

BJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7g and 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles to be operated in conjuction with a proposed multiple dwelling.

EMISES AFFECTED — 101-125 Sunnyside avenue, north side, 210 ft. 1 in. east of Miller avenue (Block No. 3885, Lot Nos. 10, 12, 41 and part of Lot No. 100), Borough of Brooklyn.

APPEARANCES—
For Applicant: John P. McGrath, Benjamin Braunstein, Mary Speth, William J. Power and Robert Shelly.
For Opposition: Herbert E. Goodstein, James J. McCue, Milton Sussman, Elizabeth M. Brophy, Fred Meyers and Kevis Kapner.

ACTION OF BOARD—Laid over to October 25, 1938, at 2 P. M., for further consideration by board of the arguments presented by both sides. No further argument.

731-38-BZ.

APPLICANT—Fred B. McDuffee, Director, Bureau of Architecture, Department of Public Works, for City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of an extension to an existing garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—535-543 East 120th street, northwest corner of East River drive (Block No. 1817, part of Lot No. 13), Borough of Manhattan.

APPEARANCES—
For Applicant: Fred B. McDuffee and A. M. Morris.
For Opposition: Harold H. Stern, Lano Meralla,

Sol Stern, Sol Shapiro, Morris Levy, and John F. Julian

ACTION OF BOARD—Laid over to October 18, 1938, at 2 P. M., for further consideration by the board. No further argument.

801-38-BZ.

APPLICANT—Bernard Trencher, for Sam S. Glauber, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a, 7c and 21 of the building zone resolution, to permit in a residence use district, the extension in height of an existing business building by erecting an extension on the roof.

PREMISES AFFECTED—521-529 East 79th street, north side, 198 ft. west of East End avenue (Block No. 1576, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Bernard Trencher and Robert Smolka.

For Opposition: Benjamin Miller and Paul Edelstein.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(801-38-BZ)

WHEREAS, Bernard Trencher, for Sam S. Glauber, Inc., owner, filed September 19, 1938, an application under the building zone resolution to permit in a residence use district, the extension in height of an existing business building by erection of an extension on the roof; Premises: 521-529 East 79th Street, north side, 198 ft. west of East End avenue (Block No. 1576, Lot No. 14), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 11, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 79th street is in a residence and business use district; East End avenue is in a residence use district; and York avenue is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated September 15, 1938, re Alt. App. No. 1593-1938, reads:

"2. Proposed extension is in violation of Sec. 3 and Sec. 6 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot 135 ft. front by 102 ft. 6 in. in depth, on which there exists a two-story office, storage and five-car garage building, 2 stories (29 ft.) in height; erected in 1924; it is proposed to construct a steel frame enclosure on the roof, approximately 45 ft. in depth by 135 ft., to be used for storage of plumbing materials; and

WHEREAS, the Board deemed that the provisions of Section 7, subdivision C, of the building zone resolution, under which this application was made, empowered the Board to exercise its discretion and to grant this application, under such conditions that would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted*, under Section 7-C, to permit the extension of height of the existing building as indicated on plans filed with this appeal, *on condition* that the building shall not be further extended; that this extension shall be used solely in connection with existing plumbing business for the storage of plumbing materials but not for factory work of any nature; that the exterior of the extension shall be painted in a light color; that this use shall not continue for a period longer than five (5) years from the date of this action; that the existing Certificate of Occupancy shall be amended so as to exclude therefrom, the use of the remaining portion of the open roof for storage of materials; that the construction of this extension shall comply with all laws, rules and regulations applicable thereto, other than as varied herein and as varied by the Board under Cal. No. 470-38-A as of this date; and that all permits shall be obtained and all work shall be completed within three months from the date of this action.

APPEAL FROM ADMINISTRATIVE ORDER

470-38-A.

APPLICANT—Achilles Construction Co., Inc., for Sam S Glauber, Inc., owner.

SUBJECT—Application for consideration—reopening—rescindment of resolution of September 20, 193 and reaffirmance of resolution of June 14, 1938—re appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—521-529 East 79th street, nort side, 198 ft. west of East End avenue (Block No 1576, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Bernard Trencher and Robe Smolka.

ACTION OF BOARD—Appeal reopened, resolution September 20, 1938, rescinded and resolution June 14, 1938, reaffirmed.

THE VOTE TO REOPEN, RESCIND RESOLUTIO OF SEPTEMBER 20, 1938 AND REAFFIRM RES LUTION OF JUNE 14, 1938—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	
Negative	
Absent	

THE RESOLUTION—

(470-38-A)

WHEREAS, Achilles Construction Co., Inc., applicant, f Sam S. Glauber, Inc., owner, filed on June 6, 1938, appeal from a decision of the borough superintendent, D partment of Housing and Buildings, affecting premi 521-529 East 79th street, north side, 198 ft. west of E End avenue (Block No. 1576, Lot No. 14), Borough Manhattan; and

WHEREAS, the decision of the borough superintende in acting on Alt. Applic. No. 1593-38, dated June 1, 19 reads:

"1. The roof of the new story must be firepr construction as the present building is over 7,500 ft. in area and is of fireproof construction."

and

WHEREAS, the building is fireproof, erected in Ju 1924, two stories, 29 ft. in height, 135 ft. by 102 ft. 6 in area; located in a business district and occupied follows: Cellar—boiler room and storage; 1st floor, o and storage, 10 persons; 2nd floor—storage of plumb supplies, 5 persons; it is proposed to erect an additio story 48 ft. by 135 ft. in area of metal construction, to used for storage of plumbing supplies, 5 persons; and

WHEREAS, this appeal was granted on condition on J 14, 1938; and

WHEREAS, under Cal. No. 801-38-BZ, the Board granted a zoning variation, to permit the erection of extension of a building, which was the subject of a Bu

MINUTES

g Code application under this Calendar Number 470-38-A, nder which the decision of the Superintendent of Buildgs was modified on June 14, 1938; and

WHEREAS, upon information received that the premises ere not located in a business district as stated by applint, the resolution of the Board of June 14, 1938 was scinded on September 20, 1938.

Resolved, that the action of the Board on September 20, 1938, in rescinding the resolution of June 14, 1938, be and it hereby is *rescinded* and the decision of the Board as of June 14, 1938 be and it hereby is *reaffirmed*.

Adjourned, 1:00 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 11, 1938

Present: Chairman Murdock, Commissioners Savage and lum and Assistant Chief Walsh.

BUILDING ZONE CASES

3-38-BZ.

PPLICANT—Harry Yahr, for The Mutual Life Insurance Company of New York, owner.

BJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

EMISES AFFECTED—1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan.

PEARANCES—

For Applicant: None.

For Opposition: None.

TION OF BOARD—Laid over to October 18, 1938, at 2 P. M., for further consideration by the board. No further argument.

-28-BZ.

PLICANT—George A. Boehm, for Estate of Max Eisman, owner.

BJECT—Application, reopened July 6, 1938, (decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop (previously withdrawn).

EMISES AFFECTED—1339 Jerome avenue (Macombs road), west side, 472.96 ft. south of West 170th street and 1338 Inwood avenue (Block No. 2856, Lot Nos. 9, 10, 49 and 50), Borough of The Bronx.

PEARANCES—

For Applicant: George A. Boehm.

For Opposition: None.

ION OF BOARD—Application denied.

E VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Absent 0

RESOLUTION—

(574-28-BZ)

HEREAS, this application, to permit partly in an unicted use district and partly in a business use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles, and also a motor vehicle repair shop, affecting premises 1339 Jerome avenue (Macombs road), west side, 472.96 ft. south of West 170th street and 1338 Inwood avenue (Block No. 2856, Lot Nos. 9, 10, 49 and 50), Borough of The Bronx, was withdrawn May 14, 1929; and

WHEREAS, the owner, Estate of Max Eisman, through its architect, requested a reopening and reconsideration of the case; and

WHEREAS, this case was reopened by vote of the Board July 6, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting October 11, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the Building Zone Resolution, show that Jerome avenue is in a business and residence use district and Inwood avenue is in an unrestricted use district; and

WHEREAS, the *decision of* the Borough Superintendent, re N. B. Plan 3074-1924, dated June 14, 1938, reads:

> "A certificate of occupancy for the motor vehicle repair shop and storage garage for more than 5 motor vehicles at above mentioned premises is hereby denied as location is within a business district where a public garage and motor vehicle repair shop would be unlawful."

and

WHEREAS, the existing building is non-fireproof, one story in height on the Jerome avenue front and two stories in height on the Inwood avenue front, with 50.6 ft. frontage on Jerome avenue and 50 ft. on Inwood avenue, 254 ft. maximum depth. The easterly portion of the building extends into the business use district for a distance of 100 ft.; the remaining Inwood avenue portion, is located in an unrestricted use district. It is proposed to occupy the one-story Jerome avenue frontage of the building as a garage for more than 5 motor vehicles and also a motor vehicle repair shop as an extension to the present use on Inwood avenue; and

WHEREAS, decision was deferred, to permit an inspection by a Committee of the Board; and

WHEREAS, such inspection was made and a verbal report thereof was made by the Chairman as follows: "that the present occupancy of the Jerome avenue portion as a salesroom for automobiles under certificate of occupancy issued June 11, 1937 (carrying with it to effectuate such use, the right of carriageway and curb cut), is a conforming use; that, under a previous appeal withdrawn after hearing and report of Committee of Inspection, the Committee recommended that the application for a zoning variance, to permit the business use portion to be used in conjunction with the unrestricted portion as a garage for more than five motor vehicles and for motor vehicle repairing, be denied; that the Committee concurs with the previous report as adopted by the Board under Calendar No. 578 of 1924 BZ and recommends that application be denied as without merit."

Resolved, that the decision of the Borough Superintendent, re N. B. Plan 3074-1924, dated June 14, 1938, be and it hereby is *affirmed,* and that the application be and it hereby is *denied.*

174-36-BZ.

APPLICANT—Szold and Brandwen, for New York Clothing Cutters Centre, Inc., owner.

SUBJECT—Application reopened September 13, 1938 for consideration as to extension of permit—re application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, the parking of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—44-46 East 12th street, south side, 132 ft. west of Broadway (Block No. 563, Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: Milton Goldstein.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(174-36-BZ)

WHEREAS, this application, affecting premises 44-46 East 12th street, south side, 132 ft. west of Broadway (Block No. 563, Lot No. 28), Borough of Manhattan, was granted by the Board July 14, 1936, for a period of two years under certain conditions; and

WHEREAS, the applicant requested an extension of the permit; and

WHEREAS, this application was reopened by vote of the Board on September 13, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, October 11, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, it appears there has been no change in conditions surrounding these premises.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on July 14, 1936, only so far as it has reference to term of permit, so that as amended this portion of the resolution shall read:

"*granted,* under Section 7-H, *for a period of two years* from the date of this amended resolution."

514-24-BZ

APPLICANT—William Shary, for Denman Realty Corp., owner and Allendale Garage Corporation, lessee.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the superintendent of buildings) under sections 7a and 7c of the building zone resolution, permitting in a business use district the alteration, extension and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—303-315 West 96th street, north side, 100 ft. west of West End avenue (Block No. 1887, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: William Shary.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(514-24-BZ)

WHEREAS, J. C. Holman, for Denman Realty Co., owner, filed, April 10, 1924, an application, under the building zone resolution, to permit in a business district the alteration, extension and maintenance of a garage for the storage of more than five (5) motor vehicles; premises 303-315 West 96th street, north side, 100 ft. west of West End avenue (Block No. 1887, Lot No. 10), Borough of Manhattan; and

WHEREAS, this application was granted by the board June 10, 1924, on certain conditions, resolution amended April 5, 1938, and owner requested a further amendment of the resolution.

Resolved, that the resolution adopted by the board on June 10, 1924, as amended April 5, 1938, be and it hereby is *amended,* so that as amended, it shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that the extension shall not exceed in height that of the existing one-story garage; that the rear and side walls of the proposed extension shall be unpierced throughout their entire height and length; that the front elevations shall be finished as to materia and design in accordance with the present structure that there shall be no skylight installed within thirty feet of the rear wall, and any skylight installed shal be glazed with plain glass, protected above and below with wire guards.

Resolved further, that in the event the owner desire to construct two new doorways at the building lin and a new curb cut 28 ft. in width, as indicated o plans marked 'Received March 11, 1938,' such opening may be constructed and additional gasoline pumps an tanks may be installed within the building, provide that no portable gasoline tanks shall be used on o from the premises *and also that in the event th owner desires to re-arrange the first floor, thereby e larging the gasoline selling area by removal of th chauffeurs' room to a point now occupied as one-c garage, such alteration may be permitted and a ne curb cut not over 11 ft. in width, may be installed, pr vided the former drop curb toward the easterly buil ing line as extended is restored."*

477-27-BZ.

APPLICANT—Karl Propper, for Marcus and Dale, lessee

SUBJECT—Application for consideration—reopening a amendment—re Application (decision of the supe intendent of buildings) under section 7b of t building zone resolution, permitting the extensi from a business use district into a residence d district of a proposed business building (store a garage for five (5) motor vehicles).

PREMISES AFFECTED—16-28 West Kingsbridge ro southeast corner of Davidson avenue (Block N 3202, Lot No. 25), Borough of The Bronx.

APPEARANCES—

For Applicant: Clara Tepper and Henry Greene

ACTION OF BOARD—Application reopened and reso tion amended.

THE VOTE TO REOPEN AND AMEND RESOL TION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....
Negative .....
Absent .....

THE RESOLUTION—

(477-27-BZ)

WHEREAS, Weeks Avenue Construction Co., Inc., own

filed, May 2, 1927, an application, under the building zone resolution, to permit the extension from a business district into a residence use district of a proposed business building (store and garage for five motor vehicles); premises 16-28 West Kingsbridge road, southeast corner of Davidson avenue (Block No. 3202, Lot No. 25), Borough of The Bronx; and

WHEREAS, this application was granted by the board at its meeting December 6, 1927, on certain conditions and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted December 6, 1927, so that as amended it shall read:

"*Resolved,* that the board of standards and appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that the existing metal garage on the Davidson avenue frontage of the plot within the business use district shall be demolished and removed and substituted with a one-story building of approved masonry limited to a frontage of 36 ft. and a depth of 35 ft. 8 in. and to be set back from the building line of the Davidson avenue front not less than 35 ft.; that the southerly gable wall and the easterly wall of the proposed garage shall be unpierced throughout their entire height and length; that the capacity of this garage shall be limited to four (4) automobiles; that the existing gasoline storage equipment on premises shall not be increased; *that the gasoline dispensing pumps shall be not nearer than 8 ft. to the street building line of Davidson avenue;* that a lattice fence of ornamental design shall be erected on the southerly property line of the Davidson avenue side of the plot from the proposed one-story garage to the building line of Davidson avenue; that there shall be no motor vehicle repairs conducted on these premises other than adjustments to automobiles performed by manual operation incidental to the garage operation and use; that the extension of the business use of the store from the Kingsbridge road frontage to the south at the easterly end of the plot within the residence area of plot shall be limited to a one-story building in height, and that the rear walls of the store use so extended shall be unpierced throughout their entire height and length within the residence use area of the plot; that no portion of the premises within the residence use area of the plot shall be used, maintained or conducted for the sale, display or use of edibles; that no portion of the premises within the residence use area shall be used or operated as a meat shop, fish store or delicatessen business, and that all permits required shall be obtained within six months and any work involved shall be completed within one year from the date of this action."

9-36-BZ.

PPLICANT—Robert J. Farrington, for Alurion Realty Corporation, owner.

UBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a retail use district the use and maintenance of a plot of ground as a parking space for more than five (5) motor vehicles for a temporary period of two (2) years.

REMISES AFFECTED—245-259 West 41st street, north side, 100 ft. east of Eighth avenue (Block No. 1013, part of Lot No. 3), Borough of Manhattan.

PPEARANCES—

For Applicant: Robert J. Farrington and H. E. Conway.

TION OF BOARD—Application reopened and permit extended.

IE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(159-36-BZ)

WHEREAS, Frank G. Colgan, for Alurion Realty Corp., owner, filed May 29, 1936, an application under the building zone resolution to permit in a retail use district the use and maintenance of a plot of ground as a parking space for more than five (5) motor vehicles for a temporary period of two (2) years; premises: 245-259 West 41st street, north side, 100 ft. east of Eighth avenue (Block No. 1013, part of Lot No. 3), Borough of Manhattan; and

WHEREAS, this application was granted by the board October 23, 1936, on certain conditions and owner requested an amendment of the resolution and now requests a further amendment.

Resolved, that the resolution adopted by the board on October 23, 1936, as amended April 19, 1938, be and it hereby is *amended,* so that as amended it shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted,* under section 7, subdivision H, permitting the premises under appeal to be used for a *period of two* (2) *years from the date of this amended resolution* for parking and storage of motor vehicles, *including buses and the installation of a bus waiting room, on condition* that the plot shall be levelled substantially to the grade of West 41st street and shall be covered with steam cinders, or similar material, properly bound to prevent dusting; that there shall be erected on the lot lines except where walls of adjacent buildings exist on the lot line, a substantial woven-wire fence not less than 6 ft. in height; that a similar fence shall be erected along the building line of West 41st street, with not over two openings therein, not exceeding 12 ft. in width each; that the curb cuts opposite such openings shall not exceed 15 ft. each; that during the period of this variance, the plot shall not be used for any other purpose than parking and storage herein permitted; that no building shall be erected on the property other than an office not exceeding 15 ft. in each direction and one story in height for use only as shelter for attendant and for toilet accommodations; and that there shall be no advertising of any nature permitted on the property other than the signs at the entrance, indicating the hereby permitted use.

Resolved further, that in the event the owner desires to occupy this plot for the parking of buses and operation of bus waiting room, such use may be permitted and the curb cuts may be relocated, as indicated on revised plan marked 'received April 12, 1938,' showing two curb cuts each, one 36 ft. in width to the west and one 36 ft. 5 in. to the east *on condition* that in all respects the requirements of the resolution adopted by the board on October 23, 1936, *as amended April* 19, 1938, *and October* 11, 1938, shall be complied with and any existing curb cuts, not including the new curb cuts as proposed, shall have curbs restored."

181-36-BZ.

APPLICANT—David Weiss, for Joseph Weiss Co., Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of bldgs.) under section 21 of the building zone resolution, permitting the extension from an unrestricted use district into a business use district of a proposed gasoline service station.

PREMISES AFFECTED—1490-1498 Linden boulevard, south side, 478 ft. 4½ in. east of Rockaway avenue (Block No. 3644, Lot No. 85), Borough of Brooklyn.

APPEARANCES—
For Applicant: David Weiss.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(181-36-BZ)

WHEREAS, Irving Kirshenblit, for Joseph Weiss Co., Inc., owner, filed June 12, 1936, an application under the building zone resolution to permit the extension from an unrestricted use district into a business use district of a proposed gasoline service station; premises: 1490-1498 Linden boulevard, south side, 478 ft. 4½ in. east of Rockaway avenue (Block No. 3644, Lot No. 85), Borough of Brooklyn; and

WHEREAS, this application was granted by the board at its meeting December 1, 1936 on certain conditions, resolution amended November 9, 1937, and applicant requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on December 1, 1936, as *amended* by resolution adopted by the Board on November 9, 1937, only so far as it has reference to obtaining permits and completion of work, so that as amended the resolution shall read:

"that all permits shall be obtained and all work shall be completed within one year from the date of this amended resolution."

266-36-BZ.

APPLICANT—Lama and Proskauer, for Frederick Reiner, owner.

SUBJECT—Application for consideration — reopening, amendment of resolution and approval of plans—re Application (decision of the commissioner of buildings) under section 7c of the building zone resolution, permitting the extension from an unrestricted use district into a business use district of an existing gasoline service station.

PREMISES AFFECTED—90-25 to 90-33 Horace Harding (Nassau) boulevard, northeast corner of Queens boulevard (Block No. 1876, Lot No. 1 and part of Lot No. 21), Elmhurst, Borough of Queens.

APPEARANCES—
For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN, AMEND RESOLUTION AND APPROVE PLANS—
Affirmative: Commissioners Savage and Blum and Assistant Chief Walsh..... 3
Negative: Chairman Murdock..... 1
Absent 0

THE RESOLUTION—

(266-36-BZ)

WHEREAS, this application of Lama and Proskauer, architects for Frederick Reiner, owner, under section 7 subdivision C of the building zone resolution, to permit the extension, from an unrestricted use district into a business use district, of an existing gasoline service station, affecting premises 90-25 to 90-33 Horace Harding boulevard (Nassau boulevard), northeast corner of Queens boulevard (Block No. 1876, Lot No. 1 and part of Lot No. 21), Elmhurst, Borough of Queens, was withdrawn January 5, 1937, reopened and restored to calendar, December 14, 1937; and

WHEREAS, this application was granted by the Board July 19, 1938, subject to such conditions as the Board may deem desirable to impose after complete plans have been submitted for further approval; and

WHEREAS, plans have been filed and applicant has requested the Board to impose conditions and approve plans; and

WHEREAS, the Board is advised that the correct street numbers of the plot under appeal are 90-15 to 90-33 Horace Harding Boulevard.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on July 19, 1938, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7c, *on condition* that the plot shall be levelled substantially to the grade of Queens Boulevard and Horace Harding Boulevard and shall be surfaced with a pavement of concrete, colprovia or other similar impervious pavement; that on the plot within the business area, there shall be no structures erected and no equipment other than two twin sets of gasoline pumps, erected not nearer than 15 ft. to either street building line, as indicated on plans marked 'Received October 4, 1938'; that the entrance to the plot within the business use district, shall be restricted to one 20-ft. curb cut to Queens Boulevard and not over three (3) 25-ft. curb cuts to Horace Harding Boulevard; that there shall be planting and curbing protection maintained on the plot as indicated on plan marked 'Received October 4, 1938'; that this plot under appeal may be used in conjunction with the existing gasoline station on the adjoining portion of premises in unrestricted area; that all permits shall be obtained and all work shall be completed within six months from the date of this action; that the plan marked 'Received October 4, 1938' is hereby *approved* as in substantial compliance with the requirements of this resolution as to arrangement of pumps, planting and entrances."

170-37-BZ.

APPLICANT—William R. McVay, for Hermine Corlis owner.

SUBJECT—Application—approval of plans—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—79-05 Little Neck road, southeast corner of Union turnpike (Block No. 12, Lot Nos. 4, 5 and 6) Floral Park, Borough of Queens.

APPEARANCES—
For Applicant: William R. McVay and Albert Taufman.

ACTION OF BOARD—Plans approved.

THE VOTE TO APPROVE PLANS—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....
Negative .....
Absent .....

THE RESOLUTION—

(170-37-BZ)

WHEREAS, William R. McVay, for Hermine Corlis owner, filed April 14, 1937, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station premises: 79-05 Little Neck road, southeast corner of Union turnpike (Block No. 12, Lot Nos. 4, 5 and 6), Floral Park, Borough of Queens; and

WHEREAS, this application was granted by the boa

April 12, 1938, on certain conditions, the resolution reading as follows:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, *for a temporary period of ten* (10) *years* from the date of this action, to permit the premises under appeal to be occupied as a gasoline service station for a distance along Little Neck parkway, approximately 62 ft., and along Union turnpike, approximately 100 ft., comprising Lot Nos. 4, 5 and 6 in Block No. 12, also known as City Block 11213, *on condition* that the plot shall be levelled substantially to the grade of surrounding streets and that the arrangement shall be in accordance with revised plans marked 'Received April 5, 1938'; that the accessory building shall be erected toward the southeasterly portion of the premises and shall be one story with gable roof, constructed of brick and stone, the roof surfaced with heavy variegated slate; that there shall be brick and stone walls not less than 7 ft. in height, erected on the interior lot lines from accessory building to the street building lines; that the accessory building shall be arranged with office and lubritorium; that the balance of the premises where not occupied by accessory buildings, shall be cement-paved or surfaced with Colprovia or similar material; that the pumps erected on the premises shall be not nearer than 15 ft. to either street building line; these pumps shall be of the type approved for parkways, with masonry pedestals not less than 4 ft. in height; that signs shall be restricted to illuminated globes of the pumps and to a permanent flat sign attached to the facades of the accessory building, but permitting a post standard to be erected near the building line, near the intersection, supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, provided such sign does not extend beyond the building line for a distance over 5 ft.; that planting shall be maintained substantially as indicated, protected by curbing; that before plans are filed with the borough superintendent, complete working drawings shall be submitted to this board for approval and for the imposition of such additional conditions as may be deemed necessary; that tanks and piping for gasoline installation shall be of new approved material; that equipment for lubritorium shall be of the hydraulic type with no greasing pits; that any heating room shall be separated from the balance of the building by fireproof material and enterable only from the exterior of the building; that lights for general illumination shall be on post standards with metallic reflectors, so arranged as to reflect towards the centre of the premises; that entrances shall be limited to two (2) to Union turnpike not exceeding 20 ft. in width and two (2) to Little Neck parkway not exceeding 20 ft. with curb cut opposite of similar width; that adjacent to the entrance along the street front, shall be maintained planted or grassed areas; that all plans herein required to be filed shall be submitted within three months and that all permits shall be obtained and all work shall be completed within one year after approval of such plans."

nd

WHEREAS, applicant has filed plans for approval by the oard.

Resolved, that the Board of Standards and Appeals does ereby *approve* the plans marked "Received October 5, 938," as being in substantial compliance with the resolu- on adopted on April 12, 1938.

APPEALS FROM ADMINISTRATIVE ORDERS

56-38-A.

APPLICANT—Henry A. Stetler, lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—402-412 Bleecker street and 291 West 11th street, northwest corner (Block No. 623, Lot Nos. 8 and 10), Borough of Manhattan.

APPEARANCES—

For Applicant: H. A. Stetler.

For Administration: Inspector Maher, Fire Department.

ACTION OF BOARD—Laid over to November 1, 1938, at 2 P. M. for inspection by Committee of the Board.

786-38-A.

APPLICANT—Arnold W. Lederer, for Morris Shenker, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1062 (1058 displayed) 55th street, south side, 184 ft. 8 in. west of 11th avenue (Block No. 5681, Lot No. 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. W. Lederer and Alfred A. Lama.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to October 25, 1938, at 2 P. M. for further consideration by the Board.

841-38-A.

APPLICANT—Manhattan Batik Studio, for Estate of Ruth Watrous, owner, Harry W. Watrous and Frank W. Hubby, trustees.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—50 Bond street, north side, 131.9 ft. west of Bowery (Block No. 530, Lot No. 43), Borough of Manhattan.

APPEARANCES—

For Applicant: Reuben Bossin.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to November 1, 1938, at 2 P. M. for inspection by Committee of the Board.

769-38-A.

APPLICANT—Milbank, Tweed and Hope, for Yates Drug and Chemical Company, lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—295-303 Lafayette street, 35-39 East Houston street, 7-17 Jersey street and 271-293 Mulberry street (8th floor, south building); (Block No. 510, Lot No. 45), Borough of Manhattan.

APPEARANCES—

For Applicant: G. W. Jaques.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(769-38-A)

WHEREAS, Milbank, Tweed & Hope, for Yates Drug and Chemical Company, lessee, filed September 1, 1938, an appeal from an order and a decision of the fire commissioner affecting premises 295-303 Lafayette street, 35-39 East Houston street, 7-17 Jersey street and 271-293 Mulberry street (8th floor, south building); (Block No. 510, Lot No. 45), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner No. 12694-LC, dated May 9, 1938, reads:

"With reference to your application dated April 4, 1938, for a permit to maintain a wholesale drug or drug and chemical supply house, at above location, I regret to inform you that this department is without power to grant such a permit for the reason that Article 24—C-19-136.0, New York City Administrative Code, prohibits the issuance of such permit in any building which is occupied as a workshop or factory, except when such workshop or factory is incident to the business of the applicant, or except in buildings constructed of fire resisting material throughout and when the portion of such building occupied by the applicant is separated from the rest of the building by fireproof walls and floors.

YOU ARE THEREFORE, HEREBY ORDERED TO:

1. Discontinue the maintenance of a wholesale drug or drug and chemical supply house on these premises. Art. 24. 24 C-19-134."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated August 3, 1938; and

WHEREAS, the building is 9 stories (121 ft.) in height, 232.4 ft. by 120.7 ft. in area, of brick and fireproof construction, equipped with a standpipe and sprinkler system, located in a business use district, erected 1885 and 1872 and occupied as follows: South portion of the building: Cellar, storage, no persons; 1st floor, printer, 22 persons; 2nd floor, same, 35 persons; 3rd floor, factory, 25 persons; 4th floor, printer, 20 persons; 5th floor, factory, 32 persons; 6th floor, factory, 28 persons; 7th floor, lithographer, 18 persons; 8th floor, manufacture of medicines, 35 persons; 9th floor, printers, 21 persons. North portion of the building: 1st floor, factory, 61 persons; 2nd floor, printers, 50 persons; 3rd floor, printers, 40 persons; 4th floor, factory and office, 25 persons; 5th floor, vacant; 6th floor, printer, 50 persons, 7th floor, printer, 15 persons; and

WHEREAS, the applicant contends that an interior fire alarm and watchman's service is maintained and that fire drills, though not required, are regularly conducted; that although the business is a wholesale drug or drug and chemical supply house as defined in the Code of Ordinances, the chemicals carried are but 10 per cent. as much as is permitted a wholesale drug house to carry.

Resolved, that the order of the Fire Commissioner, No. 12694-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the amount of chemicals used in connection with the conduct of the business shall not substantially exceed the quantities stated on the application; that the sprinkler system shall be maintained to the satisfaction of the Fire Commissioner; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

781-38-A.

APPLICANT—E. Wolf & Co., Inc., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—12-16 Vestry street, north side, 130 ft. 10¼ in. east of Hudson street (5th floor); (Block No. 221, Lot No. 35), Borough of Manhattan.

APPEARANCES—

For Applicant: Rose Streng.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(781-38-A)

WHEREAS, E. Wolf & Co., Inc., lessee, filed on September 9, 1938, an appeal from an order and decision of the fire commissioner, affecting premises 12-16 Vestry street, north side, 130 ft. 10¼ in. east of Hudson street (5th floor); (Block No. 221, Lot No. 35), Borough of Manhattan; and

WHEREAS, Order No. 13092-LC, issued by the fire commissioner June 23, 1938, reads:

"1. Discontinue the use of open flame in the same room where spraying of a flammable substance is carried on. Rule 6.1.8.

2. Relocate electrical equipment (motors, switches, rheostats or lamps), so it will not be within ten feet of booth: conduit leading from hazardous to non-hazardous location to be sealed off by an approved sealing compound. Rule 4.4."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated August 18, 1938; and

WHEREAS, the building is seven stories, (88 ft.) in height, 75 ft. by 112 ft. deep, in area, of nonfireproof construction; located in an unrestricted use district; erected in 1882 and occupied as follows: Cellar, storage; 1st floor—sale of janitor's supplies, 8 persons; 2nd floor—vacant; 3rd floor—mfg. of blank books, 11 persons; 4th floor—vacant; 5th floor—gold stamping, 5 persons, part vacant; 6th and 7th floors—vacant. Certificate of Occupancy No. 10815 was issued in 1925, permitting 30 persons per floor at factory occupancy; and

WHEREAS, the applicant who occupies the 5th floor contends that it would be impractical to comply with the order; that the gas burning presses are always in use; that the spray booth is operated only a small portion of the year; that only about 1% of the work is sprayed; that if this small amount of spray work is not handled, it will result in a considerable loss of other business; that the liquids sprayed are clear lacquer and thinners, which are mixed with bronze powders or moorish pastes; that these liquids are stored in heavy, galvanized, air-tight cans and the maximum amount stored is five gallons of each; that there is not sufficient space to place the motor of the spray booth ten feet from the booth; that it is proposed to cover the motor with a spark-proof metal box.

Resolved, that the Order No. 13092-LC, items 1 and 2, of the fire commissioner, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the gas flame used in connection with the embossing presses shall not be nearer than eight (8) feet to the spray booth; that the motor used in connection with the ventilation for the spray booth shall be enclosed in a Type A spark-proof enclosure; that any wiring within ten (10) feet of the spray booth shall be in a fixed conduit; that all lamps within ten (10) feet shall be vaporproof; that all switches shall be located at least ten (10) feet away from the spray booth and that during the time the spray booth is in operation, the open gas flame eight (8) feet away shall not be in operation; that in all other respects the occupancy shall comply with all laws, rules and regulations applicable thereto.

789-38-A.

APPLICANT—Joseph Unger, for Samuel N. Frank, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—80-02 to 80-14 57th avenue, southeast corner of 80th street (Block No. 2918, Lot Nos. 2, 4, 5, 6 and 7), South Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Joseph Unger and Samuel N. Frank.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

MINUTES

THE VOTE TO GRANT—
Affirmative: 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(789-38-A)

WHEREAS, Joseph Unger, for Samuel N. Frank, owner, filed September 13, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 80-02 to 80-14 57th avenue, southeast corner of 80th street (Block No. 2918, Lot Nos. 2, 4, 5, 6 and 7), South Elmhurst, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, dated September 1, 1938, reads:

"You are advised that New Building Permits Nos. 3515, 3516, 3517, 3518, 3519, 3520 of 1938, issued for the above locations are hereby REVOKED, as Inspector reports that on August 30, 1938, a substantial start had not been made, and this zone was changed on July 28, 1938, from business to residence."

and

WHEREAS, the premises consist of six proposed one-story, non-fireproof buildings, 22.17 feet by 72 feet and 102 feet in area, located in a residence use district, proposed to be occupied as follows: Cellar, storage and boiler room; first floor, store and dwelling; and

WHEREAS, the applicant contends that on May 24, 1938, plans were filed for the buildings in question, and approved on July 20, 1938; on July 25, 1938, a permit to build was drawn and notarized, but the permit was not issued until August 15, 1938, due to the fact that compensation policy had not been issued; that in the meantime the use district was changed; said change was effective July 28, 1938; on August 17, 1938, the borough superintendent informed the architect that the permit could not be issued, although the permit had already been issued; on September 1, 1938, the Borough Superintendent revoked the permit on the grounds that work had not started August 30, 1938; that a substantial start could not have been made by August 30, 1938, since the work was stopped on August 17, 1938; that fees had been paid to the city for vault space in connection with the proposed buildings; that architectural expenses had been incurred and hardships have been created, due to the fact that this property has been held for a long time for business and commitment to sell for business had been made before the change; and

WHEREAS, appears that C. P. No. 391 Amendment to use District Map Section 13 was adopted by the City Planning Commission June 27, 1938, with a notation on this amendment that it became effective July 28, 1938.

Resolved, that the decision of the Borough Superintendent, re N.B. Nos. 3515, 3516, 3517, 3518, 3519 and 3520, 1938, dated September 1, 1938, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

1-38-A.

APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—12-02 to 12-32 40th avenue, super block bounded by 40th avenue, 21st street, 41st avenue and 12th street (Block No. 467, Lot Nos. 510 and 544 and Block No. 468, Lot No. 457), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: W. F. R. Ballard and Allan S. Harrison
For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(811-38-A)

WHEREAS, William F. R. Ballard, for the New York City Housing Authority, owner, filed on September 23, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Building, affecting premises 12-02 to 12-32 40th avenue, block bounded by 40th avenue, 21st street, 41st avenue and 12th street (Block No. 467, Lot Nos. 510 and 544 and Block No. 468, Lot No. 457), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. App. 5845-38, dated September 19, 1938, reads:

"1. Section 8.5.29 of Building Code, requires controlled concrete to be regularly inspected by registered architect or licensed engineer responsible for the design of same."

and

WHEREAS, the premises consist of a plot 451.1 ft. by 487.1 ft. in area, upon which it is proposed to erect four 6-story fireproof multiple dwellings, 56 ft. 7¼ in. in height, to be erected in an unrestricted use, "B" area, district; and

WHEREAS, the applicant contends that the owner is a semi-public body and will maintain a competent staff of field inspectors and supervisors at the site; that in the interest of economy, it is deemed unnecessary to duplicate this force with other inspectors and supervisors employed by the architects and engineers.

Resolved, that the decision of the borough superintendent, acting on N.B. App. 5845-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the provisions of the Building Code, as to inspection and testing of controlled concrete, shall be carried through as proposed in letter dated October 8, 1938, from the New York Housing Authority, to the Chairman of this board, reading as follows:

"At the instance of Mr. William F. R. Ballard, Chief Architect for the Queensbridge Project, we are outlining below the method which the Housing Authority intends to pursue regarding the inspection of Controlled Reinforced Concrete for this job.

1. *Preliminary Tests.* All provisions in Section (7.4.32) Sec. C26-364.0 will be strictly complied with.

2. *Field Inspection.* All provisions in Section (8.5.29) Sec. C26-497.0 will be strictly complied with, except that we will employ Joseph Goldstein, Professional Engineer, License No. 8536 of 1225 Boston Road, N. Y. C., to have complete responsibility for carrying on the inspection, supervision of all tests and compiling of all records. Mr. Goldstein was associated with Elwyn E. Seelye & Co., Inc., Structural Engineers, for this job and is thoroughly familiar with the details of design.

3. *Field Tests of Controlled Concrete.* All provisions in Section (8.5.32) Sec. C26-500.0 will be strictly complied with.

All laboratory tests will be made and certified to, by an accredited testing laboratory, such as the Pittsburgh Testing Laboratory, Inc., or Hildreth & Co., Inc."

and that any changes or variations in the work, shall be immediately reported to the designing engineer.

812-38-A.

APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—10-02 to 10-30 40th avenue, super block bounded by 40th avenue, 12th street, 41st avenue and 10th street (Block No. 469, Lot No. 415 and Block No. 470, Lot No. 375), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: W. F. R. Ballard and Allan S. Harrison.
For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(812-38-A)

WHEREAS, William F. R. Ballard, for the New York City Housing Authority, owner, filed September 23, 1938, an appeal from a decision of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 10-02 to 10-30 40th avenue, block bounded by 40th avenue, 12th street, 41st avenue and 10th street (Block No. 469, Lot No. 415 and Block No. 470, Lot No. 375), Long Island City, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent on N.B. App. No. 6535-38, dated September 19, 1938, reads:

"1. Section 8.5.29 of Building Code, requires controlled concrete to be regularly inspected by registered architect or licensed engineer responsible for the design of same."

and

WHEREAS, the premises consist of a plot 459.2 ft. by 500.6 ft. in area, upon which it is proposed to erect five 6-story fireproof multiple dwellings, 57 ft. 11⅜ in. in height and one community building 26 ft. 4 in. in height, to be located in an unrestricted use, "A" and "B" area districts; and

WHEREAS, the applicant contends that the owner is a semi-public body and will maintain a competent staff of field inspectors and supervisors at the site; that in the interest of economy, it is deemed unnecessary to duplicate this force with other inspectors and supervisors employed by the architects and engineers.

Resolved, that the decision of the Borough Superintendent acting on N.B. App. 6535-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the provisions of the Building Code, as to inspection and testing of controlled concrete, shall be carried through as proposed in letter dated October 8, 1938, from the New York Housing Authority, to the Chairman of this Board, reading as follows:

"At the instance of Mr. William F. R. Ballard, Chief Architect for the Queensbridge Project, we are outlining below the method which the Housing Authority intends to pursue regarding the inspection of Controlled Reinforced Concrete for this job.

1.—*Preliminary Tests.* All provisions in Section (7.4.32) Sec. C26-364.0 will be strictly complied with.

2.—*Field Inspection.* All provisions in Section (8.5.29) Sec. C26-497.0 will be strictly complied with, except that we will employ Joseph Goldstein, Professional Engineer, License No. 8536 of 1225 Boston Road, N. Y. C., to have complete responsibility for carrying on the inspection, supervision of all tests and compiling of all records. Mr. Goldstein was associated with Elwyn E. Seelye & Co., Inc., Structural Engineers for this job and is thoroughly familiar with the details of design.

3.—*Field Tests of Controlled Concrete.* All provisions in Section (8.5.32) Sec. C26-500.0 will be strictly complied with.

All laboratory tests will be made and certified to by an accredited testing laboratory, such as the Pittsburgh Testing Laboratory, Inc., or Hildreth & Co., Inc."

and that any changes or variations in the work shall be immediately reported to the Designing Engineer.

813-38-A.

APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—10-02 to 10-30 41st avenue, super block bounded by 41st avenue, 12th street, a proposed street and 10th street (Block No. 465, Lot No. 35 and Block No. 466, Lot No. 35), Long Island City, Borough of Queens.

APPEARANCES—
For Applicant: W. F. R. Ballard and Allan S. Harrison.
For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(813-38-A)

WHEREAS, William F. R. Ballard, for New York City Housing Authority, owner, filed September 23, 1938, an appeal from a decision of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 10-02 to 10-30 41st avenue, block bounded by 41st avenue, 12th street, 10th street and a proposed street (Block No. 465, Lot No. 35, and Block No. 466, Lot No. 35), Long Island City, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent on N.B. App. 6536-38, dated September 19, 1938, reads:

"1. Section 8.5.29 of Building Code, requires controlled concrete to be regularly inspected by registered architect or licensed engineer responsible for the design of same."

and

WHEREAS, the premises consist of a plot 521.3 ft. by 536.8 ft. in area, upon which it is proposed to erect five 6-story fireproof multiple dwellings, 55 ft. 5½ in. in height and one 1-story children's center building 13 ft. 3½ in. in height, to be located in an unrestricted use district partly in an "A" and partly in a "B" area district; and

WHEREAS, the applicant contends that the owner is a semi-public body and will maintain a competent staff of field inspectors and supervisors at the site; that in the interest of economy, it is deemed unnecessary to duplicate this force with inspectors and supervisors employed by the architects and engineers.

Resolved, that the decision of the Borough Superintendent acting on N.B. App. 6536-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the provisions of the Building Code, as to inspection and testing of controlled concrete, shall be carried through as proposed in letter dated October 8, 1938, from the New York Housing Authority, to the Chairman of this Board, reading as follows:

"At the instance of Mr. William F. R. Ballard, Chief Architect for the Queensbridge Project, we are outlining below the method which the Housing Authority intends to pursue regarding the inspection of Controlled Reinforced Concrete for this job.

1.—*Preliminary Tests.* All provisions in Section (7.4.32) Sec. C26-364.0 will be strictly complied with.

2.—*Field Inspection.* All provisions in Section (8.5.29)

Sec. C26-497.0 will be strictly complied with, except that we will employ Joseph Goldstein, Professional Engineer, License No. 8536 of 1225 Boston Road, N. Y. C., to have complete responsibility for carrying on the inspection, supervision of all tests and compiling of all records. Mr. Goldstein was associated with Elwyn E. Seelye & Co., Inc., Structural Engineers for this job and is thoroughly familiar with the details of design.

3.—*Field Tests of Controlled Concrete.* All provisions in Section (8.5.32) Sec. C26-500.0 will be strictly complied with.

All laboratory tests will be made and certified to by by an accredited testing laboratory, such as the Pittsburgh Testing Laboratory, Inc., or Hildreth & Co., Inc., and that any changes or variations in the work shall be immediately reported to the Designing Engineer.

314-38-A.

APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—8-02 to 8-32 40th avenue, super block bounded by 40th avenue, 10th street, 41st avenue and Vernon boulevard (Block No. 478, Lot Nos. 1 to 22, inclusive and Block No. 479, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: W. F. R. Ballard and Allan S. Harrison.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(814-38-A)

WHEREAS, William F. R. Ballard, for New York City Housing Authority, owner, filed September 23, 1938, an appeal from a decision of the borough superintendent, Department of Housing and Buildings, affecting premises 8-02 to 8-32 40th avenue, block bounded by 40th avenue, 10th street, 41st avenue and Vernon boulevard (Block No. 478, Lot Nos. 1 to 22, inclusive and Block No. 479, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. App. 6537-38, dated September 19, 1938, reads:

"1. Section 8.5.29 of Building Code, requires controlled concrete to be regularly inspected by registered architect or licensed engineer responsible for the design of same."

and

WHEREAS, the premises consist of a plot 460.05 ft. by 96.7 ft. in area, upon which it is proposed to erect four story fireproof multiple dwellings 56 ft. 6 in. in height; and

WHEREAS, the applicant contends that the owner is a semi-public body and will maintain a competent staff of field inspectors and supervisors at the site; that in the interest of economy, it is deemed unnecessary to duplicate this force with inspectors and supervisors employed by the architects and engineers.

Resolved, that the decision of the borough superintendent acting on N.B. App. 6537-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the provisions of the Building Code, as to inspection and testing of controlled concrete, shall be carried through as proposed in letter dated October 8, 1938, from the New York Housing Authority, to the chairman of this board, reading as follows:

"At the instance of Mr. William F. R. Ballard, Chief Architect for the Queensbridge Project, we are outlining below the method which the Housing Authority intends to pursue regarding the inspection of Controlled Reinforced Concrete for this job.

1. *Preliminary Tests.* All provisions in Section (7.4.32) Sec. C26-364.0 will be strictly complied with.

2. *Field Inspection.* All provisions in Section (8.5.29) Sec. C26-497.0 will be strictly complied with, except that we will employ Joseph Goldstein, Professional Engineer, License No. 8536 of 1225 Boston Road, N. Y. C., to have complete responsibility for carrying on the inspection, supervision of all tests and compiling of all records. Mr. Goldstein was associated with Elwyn E. Seelye & Co., Inc., Structural Engineers for this job and is thoroughly familiar with the details of design.

3. *Field Tests of Controlled Concrete.* All provisions in Section (8.5.32) Sec. C26-500.0 will be strictly complied with.

All laboratory tests will be made and certified to by an accredited testing laboratory, such as the Pittsburgh Testing Laboratory, Inc. or Hildreth & Co., Inc."

and that any changes or variations in the work shall be immediately reported to the designing engineer.

815-38-A.

APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—8-02 to 8-36 41st avenue, super block bounded by 41st avenue, 10th street, Bridge Plaza North and Vernon boulevard (Block No. 480, Lot No. 1 and Block No. 481, Lot Nos. 1 to 7 inclusive, 8, 12, 16, 36, 55 and 63), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: W. F. R. Ballard and Allan S. Harrison.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(815-38-A)

WHEREAS, William F. R. Ballard, for New York City Housing Authority, owner, filed on September 23, 1938, an appeal from a decision of the borough superintendent, Department of Housing and Buildings, affecting premises 8-02 to 8-36 41st avenue, block bounded by 41st avenue, 10th street, Bridge Plaza North and Vernon boulevard (Block No. 480, Lot No. 1 and Block No. 481, Lot Nos. 1 to 7 inclusive, 8, 12, 16, 36, 55 and 63), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Application 6538-38, dated September 19, 1938, reads:

"1. Section 8.5.29 of Building Code, requires controlled concrete to be regularly inspected by registered architect or licensed engineer responsible for the design of same."

and

WHEREAS, the premises consist of a plot 466.8 ft. by 678.3 ft. in area, upon which it is proposed to erect four 6-story multiple dwellings, 57 ft. 2½ in. in height, of fireproof construction, located in an unrestricted use, "A" area, district; and

WHEREAS, the applicant contends that the owner is a semi-public body and will maintain a competent staff of field inspectors and supervisors at the site; that in the interest of economy, it is deemed unnecessary to duplicate this force with inspectors and supervisors employed by the architects and engineers.

Resolved, that the decision of the borough superintendent acting on N.B. App. 6538-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the provisions of the Building Code, as to inspection and testing of controlled concrete, shall be carried through as proposed in letter dated October 8, 1938, from the New York Housing Authority, to the chairman of this board, reading as follows:

"At the instance of Mr. William F. R. Ballard, Chief Architect for the Queensbridge Project, we are outling below the method which the Housing Authority intends to pursue regarding the inspection of controlled reinforced concrete for this job.

1. *Preliminary Tests.* All provisions in Section (7.4.32) Sec. C26-364.0 will be strictly complied with.

2. *Field Inspection.* All provisions in Section (8.5.29) Sec. C26-497.0 will be strictly complied with, except that we will employ Joseph Goldstein, professional engineer, License No. 8536 of 1225 Boston road, N. Y. C., to have complete responsibility for carrying on the inspection, supervision of all tests and compiling of all records. Mr. Goldstein was associated with Elwyn E. Seelye & Co., Inc., structural engineers for this job and is thoroughly familiar with the details of design.

3. *Field Tests of Controlled Concrete.* All provisions in Section (8.5.32) Sec. C26-500.0 will be strictly complied with.

All laboratory tests will be made and certified to by an accredited testing laboratory, such as the Pittsburgh Testing Laboratory, Inc., or Hildreth & Co., Inc."

and that any changes or variations in the work shall be immediately reported to the designing engineer.

822-38-A.

APPLICANT—Joseph H. Cornell, for Salley Fogel, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—4 Morse Court, west side, 100 ft. south of Cornaga avenue (Block No. 79, Lot No. 11), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Joseph H. Cornell.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(822-38-A)

WHEREAS, Joseph H. Cornell, for Salley Fogel, owner, filed September 26, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 4 Morse Court, west side, 100 ft. south of Cornaga avenue (Block No. 79, Lot No. 11), Far Rockaway, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, dated September 8, 1938 on Alteration Application No. 6684-38, reads:

"Proposition to convert one family frame dwelling occupying 3 stories, to two family dwelling occupying three stories, is contrary to the Building Code section."

and

WHEREAS, the building is 2½ stories (38 ft.), in height, 31 ft. by 37 ft. in area, of frame construction, located in a business use district, erected in 1911 and occupied throughout for one family. It is proposed to alter the building and to occupy the first floor for one family and the second and third floors for one family, a total of 2 families; and

WHEREAS, the applicant contends that a modification of the Building Code should be granted, as the alteration will not affect any structural members, except for a dormer on the third floor; that the only change on the first floor will be a doorway at the rear of hall and on the 2nd floor, the opening between the kitchen and dining room.

Resolved, that the decision of the Borough Superintendent on Alteration Application No. 6684-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the third or attic story of the building to be used in connection with the second story for one family, *on condition* that not more than two families shall at any time occupy the building and that an affidavit made by the owner, according to this requirement, shall be filed with the Borough Superintendent; that in all other respects all laws, rules and regulations applicable to the building and its occupancy shall be complied with; that the plot with a frontage of 100 feet on Cornaga avenue, shall not be reduced during the occupancy permitted herein and that the building shall not be further increased in height and area, except that it may be permitted to erect a two-car garage for the use of the tenants of this building.

843-38-A.

APPLICANT—Joshua Tabatchnik, for Eva M. Kaplan, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—2142-2146 81st street, south side, 300 ft. west of Bay Parkway (Block No. 6299, Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joshua Tabatchnik, Arnold W. Lederer and Alfred A. Lama.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(843-38-A)

WHEREAS, Joshua Tabatchnik, for Eva M. Kaplan, owner, filed October 4, 1938, an appeal from a decision of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 2142-2146 81st street, south side, 300 ft. west of Bay Parkway (Block No. 6299, Lot No. 18), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent on Applciation No. 13174-38, dated September 29, 1938, reads:

"1. Proposed alteration with change of occupancy from (1) to (2) family dwelling with new and existing rooms in the attic (3rd floor) of frame building contrary to Sections 8.7.2.1 and 4.2.1."

and

WHEREAS, the building is two stories and attic, (35 ft.) in height, 25 ft. by 65 ft. 6 in. in area, of frame construction; erected in 1920; located in a residence use "E" area district; occupied as a one family house. It is proposed to change the occupancy as follows: 1st floor—one family 2nd floor and attic—one family—total, two families throughout; and

WHEREAS, the applicant contends that it is proposed to remove all the stairways and substitute new stairs from cellar to first story and one to second story and attic, each apartment having its own entrance; that application o

Section 4.2.1, is limited to the provisions of Sections 4.2.2. and 4.2.3, as stated in Section 4.1.5, namely that the increased area of building shall not exceed 2500 sq. ft. and that the height shall not be increased above the tabular height. It is not proposed to increase the existing height of building, and the proposed enlarged area does not exceed 2500 sq. ft.; that Section 8.7.2.1 is merely a cross reference to Article 4.

Resolved, that the decision of the Borough Superintendent, acting on Application No. 13174-38, Item 1, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the extension of the residential use to the 3rd or attic story, *on condition* that not more than two families shall be housed in the building at any time—one on the first floor and one occupying both the 2nd and 3rd floors; that in all other respects the building and occupancy shall comply with all rules and regulations applicable thereto; that the existing plot shall not be reduced in width; that the building shall not be further increased in height or area and that an affidavit by the owner, shall be filed with the Borough Superintendent, stating that at no time will the building be occupied by more than two families.

845-38-A.

APPLICANT—Jack Z. Cohen, for John Neumann, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—107-12 Cross Bay boulevard, west side, 87.71 ft. south of 107th avenue (Block No. 9160, Lot No. 235), Ozone Park, Borough of Queens.

APPEARANCES—

For Applicant: Larry Meltzer.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0
Negative	0

THE RESOLUTION—

(845-38-A)

WHEREAS, Jack Z. Cohen, for John Neumann, owner, filed October 5, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises, 107-12 Cross Bay boulevard, west side, 87.71 ft. south of 107th avenue (Block No. 9160, Lot No. 235), Ozone Park, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated September 16, 1938, in acting on an amendment to Alteration Application No. 5678-1938, reads:

"2. State that proposed windows will comply with Section 4.1.3, Paragraph B, Building Code."

and

WHEREAS, the building is 2 stories (21 ft.) in height, 22.52 ft. by 42 ft. in area, of frame construction, erected in 1926, located in a business use, "B" area district and occupied as follows: Cellar, ordinary; 1st floor, store; 2nd floor, one family; and

WHEREAS, the applicant contends that new openings were cut in the south wall of the 2nd floor opening over adjoining garage roof, to provide light and ventilation for the apartment; that this work was done under Alteration 5678-38; that as the approved plans did not actually specify fireproof sashes, the contractor installed double hung frame sash windows; that fireproof windows in a frame wall would be useless and a modification is respectfully requested.

Resolved, that the decision of the borough superintendent, acting on Alteration Application No. 5678-38, item 2, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that copper or bronze screening shall be installed over the four (4) windows under appeal for the full size of the opening; that the roof of the adjoining garage shall be surfaced with approved weather surfacing; that no additional windows shall be installed; and that in all other respects, the windows and occupancy shall comply with all the laws, rules and regulations applicable thereto; that this modification shall continue only so long as adjoining garage is not increased in area or any other structure is built on lot line adjoining the building under appeal, in the rear.

847-38-A.

APPLICANT—Henry G. Harrington, for Sophia Sahadi, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—234-244 (240 displayed) 81st street, south side, 340 ft. west of Third avenue (Block No. 5996, Lot No. 21), Borough of Brooklyn.

APPEARANCES—

For Applicant: Henry G. Harrington, N. A. Sahadi, Leo Berger and Arnold W. Lederer.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(847-38-A)

WHEREAS, Henry G. Harrington for Sophia Sahadi, owner, filed October 5, 1938, an appeal from a decision of the acting borough superintendent of buildings affecting premises 234-244 (240 displayed) 81st street, south side, 340 ft. west of Third avenue (Block No. 5996, Lot No. 21), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of buildings on Alteration Application 13169-38, dated September 8, 1938, reads:

"1. Proposed change in occupancy from 1 to 2 families in a frame building with human occupancy in attic is contrary to Section 8.7.2.1 of Code."

and

WHEREAS, the building is 3 stories, and attic (35 ft.) in height, 54 ft. by 48 ft. in area, of frame construction, erected in 1890, located in a residence use, "E" area district and occupied as a one family dwelling. It is proposed to change the occupancy to first floor, one family, 2nd and 3rd floors, 1 family; and

WHEREAS, the applicant contends that the premises are outside the fire limits; that under Section 4.1.5, the building can be altered or enlarged; that the attic was existing and complies with the present Code, except as referred to in objection No. 1, appealed from; that as the attic is not being enlarged, the proposed occupancy should be permitted under the Code.

Resolved, that the decision of the borough superintendent, acting on Alteration Application No. 13169-38, item 1, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the building under appeal to be occupied by not over two families—one family on the first floor and one family occupying the 2nd and 3rd floors, *on condition* that an affidavit by the owner, shall be filed with the borough superintendent, stating that at no time will the building be occupied by more than two families; that the unoccupied space between the building under appeal and the lot line to the west, shall not be less than 8 ft., and not less than 10 ft. shall be maintained between the building under appeal and adjoining building to the east; and that in all other respects the construction and occupancy shall comply with all laws, rules and regulations applicable thereto.

859-38-A.

APPLICANT—Gross-Morton Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—58-50 and 58-56 213th street, west side, 498 ft. and 539 ft. south of 58th avenue (northwest corner of Horace Harding boulevard); (Block No. 7463, Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: George M. Gross.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(859-38-A)

WHEREAS, Gross-Morton Corporation, owner, filed on October 6, 1938, an appeal from decisions of the Borough Superintendent affecting premises 58-50 and 58-56 213th street, west side, 498 ft. and 539 ft. south of 58th avenue (northwest corner of Horace Harding Boulevard); (Block No. 7463, Lot No. 1), Bayside, Borough of Queens, and

WHEREAS, the decision of the Borough Superintendent of Buildings on new building application No. 6871-38, dated September 14, 1938, reads:

"3. The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code."

and

WHEREAS, the decision of the Borough Superintendent on New Building 6895-38, dated September 14, 1938, reads:

"6. The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot 101.91 ft. on 213th street, 97.50 ft. on Horace Harding Boulevard, upon which it is proposed to erect one 1½ story and one 2 story one family dwellings and 2 private garages, located in a business use, "D" area district; and

WHEREAS, the applicant contends that the area in which the buildings are to be located, is rural in character, and no business structure is within considerable distance of the proposed dwellings; that the use of the street for business purposes is impracticable, inasmuch as there are sufficient business streets in the neighborhood to serve any residential area; that to leave the spot unbuilt upon, would constitute a detriment and eyesore to the neighborhood for many years to come, for the plot may never have any commercial value.

Resolved, that the decisions of the borough superintendent, acting on N. B. App. Nos. 6871-38, item 3 and 6895-38, item 6, be and they hereby are *modified*, and the appeal be and it hereby is *granted*, permitting the erection of the dwellings, as proposed, *on condition* that the buildings shall be for residential purposes only limited to the occupancy of one family each and shall comply with the requirements of "F" area district, except that the buildings may exceed 18 ft. in height up to plate line and provided such height shall not be in excess of 25 ft.; that the 1st story of the buildings shall be of masonry or faced with masonry veneer; that the roofs shall be surfaced with natural slate; that the chimney breasts may extend into a side yard for a distance not over two feet; that one of the required side yards need not be more than four (4) ft., in width; that interior bearing partitions may be permitted as required for a residence building, outside the fire limits; that a garage may be constructed on each plot, *provided* such garage is for the accommodation of not more than two (2) cars for use of the occupants of the single-family dwelling on each portion of the plot; that the same shall be constructed of masonry or masonry veneer walls with natural slate roofs; that any windows less than 3 ft. from lot line shall be constructed of metal frames glazed with wire glass and made self-closing.

860-38-A.

APPLICANT—Gross-Morton Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—58-49 and 58-55 213th street, east side, 498 ft. and 539 ft. south of 58th avenue (northeast corner of Horace Harding boulevard); (Block No. 7464, Lot No. 1), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: George M. Gross.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(860-38-A)

WHEREAS, Gross-Morton Corporation, owner, filed October 6, 1938, an appeal from decisions of the borough superintendent of buildings affecting premises 58-49 and 58-55 213th street, east side, 498 ft. and 539 ft. south of 58th avenue (northeast corner of Horace Harding boulevard); (Block No. 7464, Lot No. 1), Bayside, Borough of Queens; and

WHEREAS, the decision of the borough superintendent N.B. 6888-38, dated September 12, 1938, reads:

"1. The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code."

and

WHEREAS, the decision of the borough superintendent on New Building Application No. 6869-38, dated September 14, 1938, reads:

"1. The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 102.11 ft. on 213th street, 97.48 ft. on Horace Harding boulevard, on which it is proposed to erect one 2 story and one 1½ story frame dwelling and two private garages, located in a business use, "D" area district; and

WHEREAS, the applicant contends that the area in which the buildings are to be located, is rural in character and no business structure is within considerable distance of the proposed dwellings; that the use of the street for business purposes is impracticable, inasmuch as there are sufficient business streets in the neighborhood to serve any residential area; that to leave the spot unbuilt upon would constitute a detriment and eyesore to the neighborhood for many years to come, for the plot may never have any commercial value.

Resolved, that the decisions of the borough superintendent, acting on N.B. App. Nos. 6888-38, item 1 and 6869-38, item 1, be and they hereby are *modified*, and the appeal be and it hereby is *granted*, permitting the erection of dwellings as proposed, *on condition* that the buildings shall be for residential purposes only and limited to the occupancy of one family each and shall comply with the requirements of "F" area district, except that the buildings may exceed 18 ft. in height up to plate line and provided such height shall not be in excess of 25 ft.; that the 1st story of the buildings shall be of masonry or faced with masonry veneer; that the roofs shall be surfaced with natural slate; that the chimney breasts may extend into a side yard for a distance not over two feet; that one of the required side yards need not be more than four (4) feet in width; that interior bearing partitions may be permitted as required for a residence building, outside the

fire limits; that a garage may be constructed on each plot *provided* such garage is for the accommodation of not more than two (2) cars for use of the occupants of the single-family dwelling on each portion of the plot; that the same shall be constructed of masonry or masonry veneer walls with natural slate roofs; that any windows less than 3 ft. from lot line shall be constructed of metal frames glazed with wire glass and made self-enclosing.

861-38-A.

APPLICANT—Consolidated Expanded Metal Companies, for Double A Realty Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1037-1049 51st street, northeast corner of Fort Hamilton parkway (Block No. 5646, part of Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles Lattner.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(861-38-A)

WHEREAS, the Consolidated Expanded Metal Companies, for Double A Realty Corporation, owner, filed on October 6, 1938, an appeal from a decision of the borough superintendent, department of housing and buildings, affecting premises 1037-1049 51st street, northeast corner of Fort Hamilton parkway (Block No. 5646, part of Lot No. 30), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on N.B. App. 14582-38, dated October 3, 1938, reads:

"1. Comply with Section 8.4.10.2—Not over two stories in advance of plaster.

2. Comply with Section 8.4.10.3—Required minimum weight of metal lath not complied with."

and

WHEREAS, the proposed building is to be six stories (63 ft.) in height, 101 ft. 9 in. by 111 ft. 8 in. in area, of non-fireproof construction; located in a business use, "C" area district; to be occupied throughout as a multiple dwelling; it is proposed to use "Jumbo" Expanded Metal Lath throughout the building; and

WHEREAS, the applicant contends that the "Jumbo" expanded metal lath which it is proposed to use, varies only slightly from the required weight; that it could be considered the equivalent of the required weight, because of its design, which permits the metal strands to become encased in the plaster so as to form a reinforced monolithic slab.

Resolved, that the decision of the borough superintendent, acting on N.B. App. No. 14582-38, items 1 and 2, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the use of the Jumbo Expanded Metal Lath as a substitute for wood lath, not included in the requirements of the Building Code under Section 8.4.10.2, *on condition* that the plaster shall be carefully troweled to insure adequate clinch; and that in all other respects the lath shall be installed in accordance with the requirements of the Building Code for metal lath, except the requirement for lacing may be omitted.

862-38-A.

APPLICANT—Consolidated Expanded Metal Companies, for Double A Realty Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1042-1052 50th street, southeast corner of Fort Hamilton parkway (Block No. 5646, part of Lot No. 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles Lattner.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(862-38-A)

WHEREAS, Consolidated Expanded Metal Companies, for Double A Realty Corporation, owner, filed on October 6, 1938, an appeal from a decision of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 1042-1052 50th street, southeast corner of Fort Hamilton Parkway (Block No. 5646, part of Lot 30), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on N. B. App. 14583-38, dated October 3, 1938, reads:

"1. Comply with Section 8.4.10.2—Not over two stories in advance of plaster.

2. Comply with Section 8.4.10.3—Required minimum weight of metal lath not complied with."

and

WHEREAS, the proposed building is to be 6 stories, (63 ft.) in height, 101 ft. 9 in. by 95 ft. 2½ in. in area, of nonfireproof construction; located in a business use, C area, district; to be occupied throughout as a multiple dwelling; it is proposed to use Jumbo expanded metal lath throughout the building; and

WHEREAS, the applicant contends that the Jumbo expanded metal lath which it is proposed to use, varies only slightly from the required weight; that it could be considered the equivalent of the required weight, because of its design, which permits the metal strands to become encased in the plaster so as to form a reinforced monolithic slab.

"Resolved, that the decision of the borough superintendent acting on N. B. App. No. 14583-38, items 1 and 2, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the use of the Jumbo expanded metal lath as a substitute for wood lath, not included in the requirements of the Building Code under Section 8.4.10.2, *on condition* that the plaster shall be carefully troweled to insure adequate clinch; and that in all other respects the lath shall be installed in accordance with the requirements of the Building Code for metal lath, except the requirement for lacing may be omitted.

863-38-A.

APPLICANT—Consolidated Expanded Metal Companies, for Philstat Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—East side of 40th street, 200 ft. south of 47th avenue (Block No. 861, Lot No. 24), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Charles Lattner.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

MINUTES

(863-38-A)

WHEREAS, Consolidated Expanded Metal Companies, for Philstat Realty Corporation, owner, filed on October 6, 1938, an appeal from a decision of the borough superintendent, Department of Housing and Buildings, affecting premises, east side of 40th street, 200 ft. south of 47th avenue (Block No. 861, Lot No. 24), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N. B. App. 5697-38, dated October 3, 1938, reads:

"1. The use of Jumbo lath is contrary to Section 8.4.10.3 of the Building Code."

and

WHEREAS, the proposed building is to be 6 stories (63 ft. 10½ in.) in height, 120 ft. by 84 ft. 4 in. in area, of non-fireproof construction; located in a residence use, "B" area district; to be occupied throughout as a multiple dwelling; it is proposed to use Jumbo expanded metal lath throughout the building; and

WHEREAS, the applicant contends that the Jumbo expanded metal lath which it is proposed to use, varies only slightly from the required weight; that it could be considered the equivalent of the required weight, because of its design, which permits the metal strands to become encased in the plaster so as to form a reinforced monolithic slab.

Resolved, that the decision of the borough superintendent, acting on N. B. App. No. 5697-38, item No. 1, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the use of the Jumbo expanded metal lath as a substitute for wood lath, not included in the requirements of the Building Code under Section 8.4.10.2, *on condition* that the plaster shall be carefully troweled to insure adequate clinch; and that in all other respects the lath shall be installed in accordance with the requirements of the Building Code for metal lath, except the requirement for lacing may be omitted.

864-38-A.

APPLICANT—Consolidated Expanded Metal Companies, for Gerard Construction Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—2069-2083 85th street, northwest corner of 21st avenue (Block No. 6334, Lot No. 45), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles Lattner.

For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(864-38-A)

WHEREAS, Consolidated Expanded Metal Companies, for Gerard Construction Corporation, owner, filed on October 6, 1938, an appeal from a decision of the acting borough superintendent, department of housing and buildings, affecting premises 2069-2083 85th street, northwest corner of 21st avenue (Block No. 6334, Lot No. 45), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent on Amendment No. 14802-38, dated October 6, 1938, reads:

"1. 'Jumbo' expanded metal lath is considered combustible lath (because of open backing used). Therefore could not be applied without interruption, in building over 2 stories in height. Section 8.4.10.2., Building Code.

2. Weight of same also is not as specified by Section 8.4.10 of Building Code."

and

WHEREAS, the proposed building is to be 6 stories (62 ft. 11 in.) in height, 130 ft. by 100 ft. in area, of non-fireproof construction; located in a business use, "C" area district; to be occupied throughout as a multiple dwelling; it is proposed to use Jumbo Expanded Metal Lath throughout the building; and

WHEREAS, the applicant contends that the "Jumbo" expanded metal lath which it is proposed to use, varies only slightly from the required weight; that it could be considered the equivalent of the weight required, because of its design, which permits the metal strands to become encased in the plaster so as to form a reinforced monolithic slab.

Resolved, that the decision of the borough superintendent, acting on Amendment No. 14802-38, items 1 and 2, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the use of the Jumbo Expanded Metal Lath as a substitute for wood lath, not included in the requirements of the Building Code under Section 8.4.10.2, *on condition* that the plaster shall be carefully troweled to insure adequate clinch; and that in all other respects the lath shall be installed in accordance with the requirements of the Building Code for metal lath, except the requirement for lacing may be omitted.

131-34-A.

APPLICANT—Ridgefield Refrigeration Service, Inc., lessee.

SUBJECT—Application for consideration—reopening and amendment—re decision of the Fire Commissioner.

PREMISES AFFECTED—643 Brook avenue, west side, 274.2 ft. south of East 153rd street (Block No. 2361, Lot No. 34), Borough of The Bronx.

APPEARANCES—

For Applicant: Abraham Greenberg.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	
Negative	
Absent	

THE RESOLUTION—

(131-34-A)

WHEREAS, Ridgefield Refrigeration Service, Inc., lessee, filed May 15, 1934, an appeal from an order of the fire commissioner, affecting premises 643 Brook avenue, west side, 274.2 ft. south of East 153rd street (Block No. 2361, Lot No. 34), Borough of The Bronx; and

WHEREAS, the order of the fire commissioner, dated April 24, 1934, re: Order No. 3222-C, reads:

"Surrender to bearer your fire department permit numbered 350457 and dated to expire October 23, 1934, which is hereby revoked.

"Reason: A recent inspection of the above mentioned premises shows that you are conducting a refrigerating plant on these premises and supplying five other buildings with refrigerant from this plant. This is a violation of section 219-B and section 210, Code of Ordinances.

YOU ARE THEREFORE DIRECTED TO

"1. Discontinue the use of refrigeration system which transports a compressed gas from one building to another as per section 210, Code of Ordinances, and section 219-B, chapter 10."

and

WHEREAS, the premises consist of a group of adjoining

non-fireproof buildings, 2 and 3 stories (40 ft.) in height, 312 ft. by 175 ft. and 38 ft. irregular in area; OCCUPIED as market buildings for the storage and refrigerating of poultry and meats; located within an unrestricted district; and

WHEREAS, the appellant claims the buildings were erected about 1911; the refrigerating machinery room of the central plant is located in the cellar of building No. 643 Brook avenue, containing three compressors and a receiver, using 2,000 pounds of ammonia for the refrigerant by the direct method (Class "A" system); there is a 4 in. flow at 140 pounds normal working pressure, an automatic stop at 210 pounds with a 250 pound safety valve, and a 1¼ in. return line with a 150 pound safety valve, leading from the machine room into a tunnel extending 62 ft. under and across Brook avenue; thence northerly, 90 ft., under the R. R. loading platform; thence westerly 62 ft., under Brook avenue into building No. 651 Brook avenue, where the horizontal lines extend through the party walls to the other five buildings, rising lines extend to upper stories; each building contains 1,300 ft. to 11,200 ft. of 2 in. refrigerating pipe; prior to 1934 these buildings were equipped with independent refrigerating systems operated by the direct method during the past 20 years; the appellant contends the present refrigerating system is non-hazardous; extra heavy black ammonia pipe is used, all piping is exposed, accessible and under constant supervision day and night by competent engineers; furthermore, the present unit refrigerating system differs from the several prior approved systems, only from the fact that the individual refrigerating machinery in each building has been disconnected and there is now one central refrigerating machinery room, the interior piping in each building remains the same; and

WHEREAS, this application was granted by the Board July 10, 1934, on certain conditions, resolution amended May 11, 1937, and appellant requested an amendment of the resolution so as to include the two remaining buildings 635 Brook avenue and 625 Brook avenue and buildings 503 East 152nd street, 505 to 509 East 152nd street and 511-513 East 152nd street, a decision of the fire commissioner rendered October 15, 1937, having been issued reading:

October 15, 1937.

"Refer to folders No. 17K625.11 and No. 17K639.11.

"Your favor of October 4, 1937, requesting permission to run pipe lines to supply ammonia by direct methods for refrigerating purposes to the two remaining buildings in which cooling boxes are located at Armour and Company, 635 Brook avenue, Bronx, has been considered and is hereby denied. To permit this would be a violation of section 219-B."

and

WHEREAS the applicant requests permission to extend the refrigeration into existing building on Lot No. 55.

Resolved, that the resolution adopted by the board on July 10, 1934, as amended May 11, 1937, be *amended*, so that as amended it shall read:

"*Resolved*, that the order of the fire commissioner, No. 3222-C, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the refrigerating piping shall be carried through the adjoining buildings as far as and including No. 665 Brook avenue, all of which buildings are under the control of the appellant under lease from Conran Bros., the owners, except building at No. 647-649 Brook avenue, which is owned by Wilson Co., who have consented to the running of these refrigerating lines through their basement provided that all refrigerating pipes are carried underneath the floors, but not buried therein, and that all refrigerating lines, if now running through tunnels under the street, shall be discontinued and removed; *that the total amount of ammonia in the system shall not exceed at any time 3,000 lbs.*; that other than as modified herein the refrigerating plant throughout shall comply in all respects to the rules governing refrigerating systems.

Resolved further, that the decision of the fire commissioner rendered October 15, 1937, referring to folders No. 17K625.11 and 17K639.11 be *modified* and that this refrigerating system may be extended from 643 Brook avenue southerly through the basement of the building occupied by Armour & Co. on lot 55 at 635 Brook avenue and across the vacant lot owned by the New York Dressed Beef Co., lot 59 at 631 Brook avenue and into the corner building occupied by Swift & Co. on lot 61, at 625 Brook avenue at the corner of East 152nd street and to the buildings to the west along East 152d street in the rear thereof, on lot 26 to the corner of Bergen avenue, *on condition* that the requirements hereinbefore set forth shall be complied with and that the piping through the cellar of 635 Brook avenue shall be protected by an outer pipe covering properly supported and insulated and that the refrigerating piping across the vacant lot 59 shall be buried below the surface of the ground and carried in heavy cast iron piping with flanged connections; *that this service may be extended to include the existing building on Lot 55, to be occupied by Armour and Company and also the proposed building on Lot 59, as indicated on revised plans marked "Received September 23, 1938," to be occupied by a tenant in a similar line of business as the other buildings on the block, ON CONDITION that the total amount of ammonia in the system shall at no time exceed the above limited quantity of 3,000 lbs. and that in the event that the additional service requires an additional 3-inch suction line, such line may be installed, provided the protection thereof, shall be as hereinbefore required; that all other general conditions of this resolution shall be complied with.*"

314-34-A.

APPLICANT—The New York Central Railroad Company, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Appeal from an order of the commissioner of buildings.

PREMISES AFFECTED—South side of Broadway, 90 ft. southeast of West 225th street (Block No. 2215, Lot No. 675), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(314-34-A)

WHEREAS, this appeal affecting premises south side of Broadway, 90 ft. southeast of West 225th street (Block No. 2215, Lot No. 675), Borough of Manhattan, was granted by the board December 18, 1934, for a temporary period of two years on certain conditions, the period extended January 5, 1937 and applicant requested a further extension of the period.

Resolved, that the resolution adopted by the board on December 18, 1934, as amended January 5, 1937, be and it hereby is *amended*, so that as amended the resolution will read:

"*Resolved* that the order of the commissioner of buildings No. 6370 be, and it hereby is modified and the appeal be and it hereby is *granted*, permitting the continuation of the building for a period of two years from the date of this amended resolution; *on condition* that there shall be no additional structures erected on the property northerly from the station to the line of the existing garage and store buildings."

513-38-A.

APPLICANT—Anton E. Lindblad, for L. Maud Cisney, owner.

SUBJECT—Application for consideration—reopening and rescindment of resolution—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—123-14 103rd avenue, south side, 115 ft. east of 123rd street (Block No. 8560, Lot No. 7), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal reopened and resolution of June 28, 1938 rescinded.

THE VOTE TO REOPEN AND RESCIND RESOLUTION OF JUNE 28, 1938—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(513-38-A)

WHEREAS, Anton E. Lindblad, for L. Maud Cisney, owner, filed on June 17, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 123-14 103rd avenue south side, 115 ft. East of 123rd street (Block No. 8560, Lot No. 7), Richmond Hill, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent on Alt. App. 3086-38, dated May 17, 1938, read as follows:

"3. Use of room above 2nd floor in a frame two-family dwelling is contrary to section 8.7.2.1."

and

WHEREAS, the building is three stories, 29 feet, in height, 26 ft. by 36 ft. 4 in. in area, of frame construction, erected in 1900 and occupied as a single family dwelling, located in a residence use "D" area district. It is proposed to alter the building so as to permit its occupancy as a two-family dwelling; and

WHEREAS, the applicant contends that the proposed alteration was contemplated in the autumn of 1937, plans having then been prepared and work was postponed due to an injury sustained by the owner, and that in the meantime the new building code went into effect; that the property is situated in a section consisting of free-standing residences with ample light on all sides; that it is proposed to provide a fire escape at the rear from 3rd story to the ground and fire-retard the stairhalls and ceilings; that the building will be surfaced on the exterior with asbestos shingles; and

WHEREAS, this appeal was granted by the Board June 28, 1938, the resolution reading as follows:

"*Resolved*, that the decision of the Borough Superintendent, on Alt. Applic. No. 3086-38, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, permitting the use of the rooms in the attic story, as shown on plans filed with this appeal, *on condition* that the building shall not be further increased in height or area and shall be maintained as a residence for not over two families, substantially in accordance with the plans filed with this appeal; that the fire escape on the rear shall be so arranged as to be connected with the second and attic stories; that in all other respects the building shall comply with all laws, rules and regulations applicable thereto."

and

WHEREAS, the Borough Superintendent advised that the owner had decided not to proceed with work and that permit had been rescinded.

Resolved, that the Board of Standards and Appeals does hereby *rescind* resolution adopted by the Board on June 28, 1938.

554-38-A.

APPLICANT—Herman Kron, for 600 Eleventh Avenue Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar, having been previously withdrawn—re Appeal from an order and decision of the borough superintendent of buildings.

PREMISES AFFECTED—594-606 11th avenue, east side between West 44th street and West 45th street (Block No. 1079, Lot Nos. 2, 8, 56 and 62), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron and Philip Adelman.

ACTION OF BOARD—Appeal reopened and denied.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....
Negative .....
Absent .....

THE VOTE TO GRANT—

Affirmative .....
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....
Absent .....

THE RESOLUTION—

(554-38-A)

WHEREAS, Herman Kron, for 600 Eleventh Avenue Corporation, lessee, filed on June 29, 1938, an appeal from an order and decision of the borough superintendent, Department of Housing and Buildings, affecting premises 594-606 11th avenue, east side, between West 44th street and West 45th street (Block No. 1079, Lot Nos. 2, 8, 56 and 62), Borough of Manhattan; and

WHEREAS, the Violation order No. 2665-38, issued by the borough superintendent June 17, 1938, reads:

"You are hereby notified that the building situate on the front of the lot on the east side of 11th avenue commencing about 23.5 feet from the northeast corner of 11th avenue and West 44th street, being a one story nonfireproof building, about 82 feet front, 82 feet rear, 29 feet deep and 15 feet in height, and occupied as an accessory building and known as No. 594-606 11th avenue in the Borough of Manhattan in The City of New York, does not conform to section 2.1.3.1 of the Building Code, section C 26-181 of the Administrative Code in the respects noted below:

In that of occupying the above premises without receiving a Certificate of Occupancy from the Commissioner of Housing and Buildings.

You are hereby directed to discontinue the said use of the above described premises until a Certificate of Occupancy has been issued by the Commissioner of Housing and Buildings."

and

WHEREAS, the decision of the borough superintendent on N. B. App. 275-37, dated June 28, 1938, reads:

"This amendement is disapproved with the following objection:

4—Parking area may not be extended to the building lines on 45th and 44th streets, on each of which street there is a school between the same intersecting streets with the proposed extensions of the parking lot."

and

WHEREAS, the premises consist of a plot 200.10 ft. 11th avenue and a depth of 225 ft. on West 44th and W 45th streets, on which a one-story lubritorium and accessory building 82 ft. by 23 ft. in area, has been erected tanks and pumps for the conduct of a gasoline service station and occupied in the rear for parking and storage of more than five motor vehicles; and

WHEREAS, the applicant contends that this premise the present time is occupied as a gasoline service station in connection with the parking and storage of more five motor vehicles. It is in a district which is unrestric New Building 275-37 has been approved by the Dept

Housing and Bldgs. and the plot diagram shows that an iron fence to be placed about 23 ft. 6 in. behind the building lines on 44th and 45th streets. The reason why a fence shall enclose both streets, was that a public school is located in the same block. An amendment was filed with the Dept. of Buildings requesting that the fence shall be located on the building line and this amendment has been disapproved. It is requested that the Board make a variation and permit, that the fence shall be on the building lines on 44th and 45th streets; and

WHEREAS, this appeal was withdrawn July 19, 1938 and applicant requested a reopening of the case; and

WHEREAS, the case was reopened by vote of the Board, October 11, 1938 and considered on the merits; and

WHEREAS, the Board deemed that it was without power to grant this application, in that the extended parking area would be on the same street between the intersecting street as a public school.

Resolved, that the violation No. 2665-38 and decision of the borough superintendent in acting in N. B. 275-37, be and they hereby are *affirmed* and the appeal be and it hereby is *denied.*

707-38-A.

APPLICANT—American Can Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from an order of the fire commissioner.

PREMISES AFFECTED—4302-4320 Second avenue, Block bounded by First and Second avenues, 43rd and 44th streets (Block No. 726, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(707-38-A)

WHEREAS, American Can Company, owner, filed August , 1938, an appeal with the Board of Standards and Appeals rom an order of the fire commissioner affecting premises 302-4320 Second avenue, block bounded by First and Second avenues and 43rd and 44th streets (Block No. 726, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner No. 5970LC dated July 6, 1938, reads:

"You are hereby notified that an inspection of the above premises used to store paints, shows that the following must be done before the permit requested by you can be issued:

FORTHWITH

1. Provide an approved underground storage system for storage of inflammable liquids (Salvasol No. 2 and Salvasol No. 3) naphtha. Plans and specifications to be filed with and approved by Department of Housing and Buildings, before the work of installing system is commenced. Tank to be tested and installation supervised by a representative of Division of Combustibles, Fire Department."

nd

WHEREAS, the building is fireproof 6 stories and basement in height, 200 ft. by 515 ft. in area on 1st story and 00 ft. by 443 ft. above; occupied for storage of tin plate in ie cellar; shipping and storage on the 1st story, manufacure on the 2nd to 6th story, inclusive, with offices and cafe n the 6th story, the maximum occupancy on any one floor eing 200 persons; and

WHEREAS, this appeal was granted by the Board, August 16, 1938, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of August 16, 1938, only so far as it requires that the hand pump shall be of an approved type, so that as amended the resolution shall read:

"*Resolved,* that the order of the fire commissioner, No. 75970LC be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be stored on the premises not more than four 55 gallon drums of Salvasol No. 2 and not more than five (5) 55 gallon drums of Salvasol No. 3 at any time; *on condition* that these drums shall be stored in fireproof vaults within the basement, properly protected and ventilated to the satisfaction of the fire commissioner, except that not more than one drum of each liquid may be taken to the sixth floor for use, *on condition that such drum shall be equipped with hand pumps approved by the National Board of Fire Underwriters or the Associated Factory Mutuals and equipped with dripless spouts and when dispensed from the drums, the liquid shall be stored in safety cans not to exceed five* (5) *gallons' capacity.*"

823-38-A.

APPLICANT—Herbert Lippman, for 2235 Second Avenue Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2235 Second avenue, west side, 75 ft. south of East 115th street (Block No. 1664, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Herbert Lippman.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(823-38-A)

WHEREAS, Herbert Lippman, for 2235 Second Avenue Corporation, owner, filed September 26, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises 2235 Second avenue, west side, 75 ft. south of East 115th street (Block No. 1664, Lot No. 25), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alteration Application 2815-38, dated September 26, 1938, reads:

"This is considered a public building. Entire building should be of fireproof or fire protected construction. (Sec. 4.2.1)"

and

WHEREAS, the building is 5 stories and cellar (55 ft.) in height, 25 ft. 11 in. by 80 ft. in area, of non-fireproof construction, erected about 1870, located in a business use, "B" area district, formerly occupied as a tenement, but now vacant; it is proposed to remove the two upper stories and reconstruct the building into a 2 story and mezzanine structure and to occupy the building as: Cellar—storage and boiler room; 1st floor—stores, 10 persons; 2nd floor and mezzanine—dance hall, 200 persons, with coatroom and toilets on mezzanine floor; and

WHEREAS, the applicant contends that the required construction will be too costly to compare with the revenue derived from the alteration; and that all other provisions of the building code will be complied with; and

WHEREAS, this appeal was granted by the Board September 27, 1938, on certain conditions; and

WHEREAS, the request was made to reopen this application for the purpose of considering a variance of Objection No. 2, reading:

"Two (2) 4-ft. wide stairs enclosed by two-hour partitions should be provided from 2nd floor";

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on September 27, 1938 so that as amended it shall read:

"*Resolved,* that the decision of the borough superintendent, acting on Alteration Application 2815-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the building, as altered, shall not exceed 35 ft. in height, nor more than two stories and partial mezzanine, all substantially as indicated on plans filed with this appeal and that the ceiling of the first story shall be plastered throughout with wire lath and cement plaster; and that in all other respects the building shall comply with all laws, rules and regulations applicable thereto, except that the two means of exit from the 2nd story may consist of one fireproof stair not less than 4 ft. wide in the clear, exiting directly to Second Avenue, and one steel stair at the rear, exiting through the adjoining premises at 246 East 115th Street and 245 East 114th Street, by means of gates or doors in the fence, arranged to be easily openable at all times and providing a ready means of exit through such premises to East 114th street and East 115th street; that this variance shall continue only so long as building and occupancy complies with the conditions as set forth in this resolution and that in all other respects the building and occupancy complies with all laws, rules and regulations applicable thereto."

APPLIANCE SUBMITTED FOR APPROVAL

675-38-SA.

APPLICANT—Purexhaust Corporation, owner.

SUBJECT—Purexhaust Fume, Smoke and Carbon Monoxide Eliminator—approval of.

APPEARANCES—

For Applicant: James Mundy and R. J. Scanlan.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(675-38-SA)

WHEREAS, the Purexhaust Corporation, owner, filed July 28, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Purexhaust Fume Smoke and Carbon Monoxide Eliminator; and

WHEREAS, the device was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests was as follows:

REPORT OF COMMITTEE ON TEST.

October 10, 1938.

Cal. No. 675-38-SA

Subject: Purexhaust (Fume, smoke and carbon monoxide eliminator).

Under date of July 28, 1938 the Purexhaust Corporation filed an application with the Board of Standards and Appeals for approval of their device known as Purexhaust (fume, smoke and carbon monoxide eliminator) under section C26-165 A.C. (2.1.1.5 B.C.)

The device is intended to screen solids and gases from smoke or fume exhaust stacks. This device consists of a series of pockets in a metal box resembling an automobile muffler. These pockets contain chemicals and other materials which destroy solids which tend to make fumes obnoxious. The chemical charge in these pockets lasts approximately two years continual running, which charge is then replaced, or sooner, if conditions of exhaust indicate chemical was deteriorated. Recharges for this device are obtained from the applicant.

A report has been filed by Henry C. Enders in charge of Chemical Laboratory, Cooper Union, stating that the eliminator was tested and found satisfactory for the elimination of smoke and carbon monoxide and obnoxious odors.

On the basis of the foregoing data, the committee recommends the approval of the Purexhaust as manufactured by the Purexhaust Corporation, for use with internal combustion engines in buildings as meeting the special requirements for heating and ventilating equipment as specified in C26-165 A.C. (2.1.1.5 B.C.), and as meeting the requirements of Chapter 20, Article 1, Sections 211 and 212 of the Code of Ordinances, which provide for the elimination of dense smoke, cinder dust and gas, or offensive or irritant odors.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals do hereby *approve* the device known as the Purexhaust fume smoke and carbon monoxide eliminator, for use in New York City when manufactured, installed and labelled in accordance with the above report.

MATERIALS SUBMITTED FOR APPROVAL

169-38-SM.

APPLICANT—Owens-Illinois Glass Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Approval of Insulux Glass Block

APPEARANCES—

For Applicant: A. C. Eldon and H. Perrin.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	
Negative	
Absent	

THE RESOLUTION—

(169-38-SM)

WHEREAS, Owens-Illinois Glass Company, owner, filed March 12, 1938, an application with the Board of Standards and Appeals for approval of the material known as Insulux Glass Block; and

WHEREAS, this material was submitted to a committee of the board for test and report; and

WHEREAS, the report of the committee of the board was *published in the bulletin of the Board July* 20, 1938 and *applicant requested an amendment of the report; and*

WHEREAS, *the report as amended by vote of the board reads:*

REPORT OF COMMITTEE ON TESTS

July 19, 193

Re: Cal. No. 169-38-SM
Insulux Glass Blocks.

The Owens-Illinois Glass Company, filed on March 12, 1938 an application with the Board of Standards and Appeals for the approval of Insulux Glass Blocks which are manufactured at the applicant's plant located at Muncie, Indiana, under section C-26-191-0 (2.2.3 BC).

This is a hollow, partially evacuated glass block consisting of two halves made of water clear pressed glass hermetically sealed when made. Sealing is accomplished by applying molten aluminum alloy to the edges of the halves in a dipping process and then applying a pressure on the blocks while the seal is fusing, after which they are annealed. Upon cooling, an enamel like substance and silica sand baked on at a high temperature is applied to the mortar bearing surface.

These blocks are manufactured and distributed commercially as follows:

Series No.	*Size*	*Face Pattern*
100	8″x 4⅞″x3⅞″	1, 2, 7, 11
100-H	3⅞″x 4⅞″x3⅞″	1-H, 2-H, 7-H, 11-H
200	5¾″x 5¾″x3⅞″	1, 2, 7, 11, 16
300	7¾″x 7¾″x3⅞″	1, 2, 7, 11, 16, 17
400	11¾″x11¾″x3⅞″	2, 7, 16, 17

In addition to the rectangular blocks as listed above, the following corner and radial blocks are manufactured:

Series No.	*Size*	*Face Pattern*
Corners:		
100-A (Bullnose)	4⅞″ high	¼″ Rib
100-B (Bullnose)	4⅞″ high	½″ Rib
200-A (Quarter Round)	5¾″ high	¼″ Rib
200-B (Quarter Round)	5¾″ high	½″ Rib
300-A (Quarter Round)	7¾″ high	¼″ Rib
300-B (Quarter Round)	7¾″ high	½″ Rib
Corners:		
100-AL (Light Transmitting)	4⅞″ high	¼″ Rib
100-BL (Light Transmitting)	4⅞″ high	½″ Rib
200-AL (Light Transmitting)	5¾″ high	¼″ Rib
200-BL (Light Transmitting)	5¾″ high	½″ Rib
300-AL (Light Transmitting)	7¾″ high	¼″ Rib
300-CL (Light Transmitting)	7¾″ high	½″ Rib
301R-Radial Block	7¾″x7″x3⅞″	No. 1 Pattern
317R-Radial Block	7¾″x7″x3⅞″	No. 17 Pattern

Tests were conducted at Purdue University in August, 1935, covering compression, adhesion, wind pressure and transmission of heat and light on blocks Series 100, 200, 300. A report of these tests has been filed with this application and remains part of this record.

In April 1937, Purdue University repeated tests on the aforementioned series and included series 400. This included test of strength, fire and hose stream tests and a copy of this report is also filed as a part of the record in this application.

Series 100 was subjected to fire and hose stream tests by the Underwriters Laboratories in September 1937 and a copy of the report on these tests is filed with and made a part of this record.

On the bases of these tests, it is recommended that the Insulux Glass Blocks as manufactured by the Owens-Illinois Glass Company of Toledo, Ohio, be approved for use in New York City under the following conditions:

These blocks to be laid up in mortar at least 1 part Portland cement, 1 part lime and four parts clean graded sand by volume, joints to be of shoved type and not less than ¼ inch in thickness and completely filled with mortar and provided with bond ties, called wall ties by applicant as follows:

In buildings not over four stories in height:
No. 100 Series block every fourth course.
No. 200 Series block every fourth course.
No. 300 Series block every third course.
No. 400 Series block every course.

In buildings over four stories in height:
No. 100 Series block every second course.
No. 200 Series block every second course.
No. 300 Series block every second course.
No. 400 Series block every course.

Where these blocks are used above the ninth story in exterior panels exceeding 60 sq. ft. in area every series of Insulux Glass Block wherever used shall be provided with bond ties in every course.

The bond ties used shall be of flat expanded steel not less than 20 gauge galvanized after forming not less than 8 feet long (in panels where full length bond ties can be used), by 2⅜ inches wide and lapped at least 6 inches.

Where these blocks are used in panels on interior lot line walls and over adjoining roofs all blocks in such panels regardless of the height of building shall be provided with bond ties in every horizontal course.

Panels not exceeding 80 sq. feet in area unless set in chases shall be anchored to adjoining masonry at the jambs by 20 gauge metal ties 1¾″x24″ galvanized after forming, and laid in horizontal block joints and extended 12 in. into the masonry located as frequently as bond ties. They are to be crimped or bent to allow for expansion.

Panels between structural supports or vertical or horizontal angle supports shall not exceed 144 square feet in area or be over 20 feet in height or width.

Panels greater than 80 sq. feet in area shall be anchored by setting in chases formed by masonry, concrete, wood or metal shapes at the jambs and at intermediate stiffeners designed so as to provide level support and clearance for expansion.

Expansion joints shall be provided at jambs and heads of all glass block panels. In a continuous series of panels the intervals shall not exceed 20 feet. Such expansion joints may be packed with oakum, fibre glass or similar resilient material and pointed on both sides with not less than ½″ of non-hardening waterproof caulking material. The depth of expansion joints shall not be less than ½″ and they shall be kept free of mortar.

Fire Department Access Panels:

Above the first or ground floor in every story of a building fire department access panels shall be provided in every frontage and not less than 50 ft. on centers horizontally. These access panels shall be at least 32 in. wide and shall have a minimum height of 48 in. and be constructed of steel sash which may be movable or fixed and when movable it shall be hinged on the side, shall open out and shall be openable from the exterior and in addition, may be openable from the interior.

This approval shall not at any time be deemed to include enclosure walls or bearing walls as described in the Building Code, but shall be for interior and exterior walls *where the openings would otherwise be filled with windows.*

Insulux blocks may be used for non-bearing interior partitions where there are no requirements for fire walls or fire partitions. When so used they shall be laid up in mortar suitable for interior work.

This block may also be used as veneer or ashlar when properly supported independently of the masonry on shelf angles and ½ in. away from any masonry backing and properly anchored with 20 gauge galvanized anchors to such masonry backing spaced not more than 18 in. apart.

This material may also be used for bulkheads for show windows and decorative interiors when properly supported, but shall not be substituted for required fireproof or fire resistive materials.

The series No. 100 Insulux glass block panels may be used for lot line openings in multiple dwellings and under C-26-610.0 (10.1.18) as meeting the requirements for a protected window opening having a rating of ¾ hour as approved by the Underwriters Laboratories (File R-2582) which test was supplemented by a similar fire test conducted at Muncie, Indiana, by Purdue University. *Series* 100 *Insulux Glass Block Panels may also be used as herein provided as a panel in an ex-*

terior wall of a building used for factory purposes, in openings wherever such openings would be required under the Labor Law to be protected with fireproof windows. When installed in buildings over four stories in height, the panel size shall be limited to 4 ft. 2 in. by 6 ft. 1½ in. and subdivided by metal muntins into sub-panels not exceeding 720 square inches.

This Material is marketed in Cartons.

The cartons containing this material, when shipped for use in New York City shall be marked, labeled or tagged "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 169-38-SM."

(Sgd.) BERNARD A. SAVAGE,
CHARLES M. BLUM,
Commissioners.

LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Insulux Glass Block, when manufactured, installed and labeled in accordance with above report.

291-38-SM.

APPLICANT—Rollin G. Wilson, agent for Otto Robert Muller, owner.

SUBJECT—Approval of Santi-Seal Ring manufactured by Otto Robert Muller, owner.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material disapproved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(291-38-SM)

WHEREAS, Rollin G. Wilson, agent for Otto Robert Muller, owner, filed April 20, 1938, an application with the Board of Standards and Appeals for approval of his material known as the Santi-Seal Ring for plumbing installation; and

WHEREAS, the material was submitted to the committee on tests for report; and

WHEREAS, the report of the committee on tests was as follows:

REPORT ON COMMITTEE ON TESTS

Re: Cal. No. 291-38-SM

Subject: Santi-Seal Ring

Rollin G. Wilson, agent for Otto Robert Muller, owner, filed April 20, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Santi-Seal Ring.

This is a spongy rubber gasket designed to fit between the base of the water closet bowl and the brass floor flange which holds the water closet base to the floor. The horn of the bowl slips through the ring.

Rubber gaskets have not previously been approved for use with water closets in New York City and have not been found satisfactory where used, the ring in question would be difficult to place accurately and exposed as it would be to organic and other acids, would rapidly deterioriate. It is recommended that the request for approval be denied.

(Sgd.) BERNARD A. SAVAGE.
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Resolved, that the application for approval of the Santi-Seal Ring, be and it hereby is *disapproved.*

341-38-SM.

APPLICANT—Bird & Son, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re Approval of Bird Roofing Material, Paroid and Neponset, manufactured by Bird & Son, Inc.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(341-38-SM)

WHEREAS, Bird and Son, Inc., owner, filed May 6, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Bird Roofing Materials Paroid and Neponset Brands, specifications 201, 202, 203 and 204; and

WHEREAS, this material was submitted to a committee of the board for test and report; and

WHEREAS, the report of the committee of the board is as follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 341-38-SM.

Bird Roofing Materials, Paroid and Neponset Brands, Specifications 201, 202, 203 and 204.

Bird & Son, East Walpole, Mass., filed with the Board, a request for the approval of various Bird roofing materials under tests specified in (10.1.16.2) C-26-607.0 A.C. These roofing materials are manufactured by the applicant at their plant in East Walpole, Mass. With the roofing, the applicant proposes using materials with specifications as follows: No. 18 Roofing Asphalt furnished in drums weighing approximately 400 lbs. each and the asphalt complies with A.S.T.M. D-312-37-T and Federal specifications SSA-666 Type 2 Grade 2 and is applied on roofs at the rate of 30 lbs. per mopping per 100 square feet. The nails used for plying over wood decks or nailing strips shall be 1" barbed nails driven through flat metal discs or equivalent large head roofing nails. For non-combustible decks they shall be 1½ penny nails driven through flat metal discs. The Bird Flashing Cement consists of an asphalt and asbestos of troweling consistency. The Bird Asphalt Primer is a mixture consisting of asphalt and solvent of brush consistency. The Bird 45 lb. base sheet is manufactured 36" wide and weighs 45 lbs. per 100 sq. feet. The Bird 15 lb. asphalt felt is a saturated rag felt 36" wide weighing 15 lbs. per 100 sq. ft. The Neponset cap sheet is a saturated rag felt coated on the weather side for a width of 17" with a weather resistant asphalt coating. Into this asphalt coating are embedded coarse mineral granules. The 19" selvage edge consists of saturated felt only. This material weighs approximately 88 lbs. per 100 sq. feet in place.

Tests of roofs as hereinafter described were conducted in accordance with the requirements for brand tests (10.1.16.1-2-3) C-26-606-608 with results as follows:

Specifications 201, 202, 203 and 204. The specimen selected for this test was No. 204 made up as follows: One 45 lb. base sheet, one layer of 15 lb. asphalt felt and all cornered with Neponset (selvage) cap sheet with a total of four moppings. The Brand burned for 26 min. 35 sec. consuming the top ply which was the Neponset cap sheet with no effect on the three remaining plies. This roofing is also made in heavier construction consisting of:

Specification No. 201. 55 lb. base sheet, two 15 lb. asphalt felts all covered by Neponset selvage cap sheet with moppings between all plies.

Specification No. 202. 45 lb. base sheet, two 15 lb. asphalt felts all covered by Neponset selvage cap sheet with moppings between all plies.

Specification No. 203. 55 lb. base sheet, one 15 lb. asphalt felt all covered by Neponset selvage cap sheet with moppings between all plies.

The aforementioned specifications of roofing are limited to new roofs with a slope not exceeding 6 inches per horizontal foot.

The committee is withholding any recommendations on the Special 3-in-1 thick Butt shingles, Bird Giant Individual Shingles and Bird Copper-Clip Shingles pending receipt of a complete specification of the various shingles manufactured by the applicant in these classifications.

The applicant has orally withdrawn his request for approval of the roof decks in the 301-4 specifications.

On the bases of these tests it is recommended that the Bird Roofing specifications Nos. 201, 202, 203 and 204 be approved under (10.12.11) C26-680 A.C. and (10.1.16) group 16 Art. 2 A.C. titled Fire Resistive Construction and as roofing material under specifications listed herein and under such limitations as are applied to each roofing. This roofing when used in New York City shall be marked or labeled on each roll "Approved by the Board of Standards and Appeals under Cal. No. 341-38-SM."

(Sgd.) BERNARD A. SAVAGE.
CHARLES M. BLUM,
Commissioners.
LESLIE V. HUBER,
Chief Engineer.

nd

Whereas, the Board under date of July 22, 1938, approved the materials known as the Bird Roofing Materials. aroid and Neponsit, Specifications 201, 202, 203 and 204, r use in New York City, in accordance with the specications and under the conditions set forth in the above port and the applicant requested an amendment of the solution, to include other roofings and the committee on sts of the board has tested and reports on these materials follows:

REPORT OF COMMITTEE ON TESTS.

October 8, 1938

Cal. No. 341-38-SM.

Subject: Bird & Son Roofing and Siding.

Bird & Son of East Walpole, Mass., filed an application for reopening of Cal. No. 341-38-SM to include other roofing, as hereinafter described, for approval under tests specified in C-26-680 A.C. (10-12-11 BC) and Group 16, Art. II A.C. (10.1.16 BC).

These roofings are manufactured at Norwood, Mass. Brand tests were conducted on the roofings on October 7, 1938, with results as follows:

Bird Asphalt Roofing Shingles—Test No. 1

3 in 1 Strip Thick Butt Shingle—

These shingles were applied to a combustible deck with standard roofing nails, 4 to a strip, with specifications as follows:

Size of Shingle—12 x 36"
Standard Shipping Weight—210 lbs. per square
Material per Square—233.75 sq. ft.
Exposure on roof—5"
Per Cent of Roof covered by 1, 2, 3 and 4 layers respectively ..... 1— 4%
2—59%
3—37%

Underwriters' Class—C. Pitch 4" to 1 ft. and up.

The brand was consumed in twenty minutes, 15 seconds, consuming only the first ply with no effect on combustible deck (see photo No. 7).

Similar shingles of heavier construction or greater coverage are also manufactured with specifications as follows:

Neponset Twin Thick Butts

Size of Shingle—12½ x 20".
Standard Shipping Weight—275 lbs.
Material per Square—305 sq. ft.
Exposure on Roof—4"
Percent of Roof Covered by 1, 2, 3 and 4 layers respectively ..... 1— 0
2— 6%
3—82%
4—12%

Underwriters' Class—C. Pitch 4" to 1 ft. and up.

3-IN-1 Weathertex Thick Butt Shingle

Size of Shingle—12" x 36"
Standards Shipping Weight—210 lbs.
Material per Square—233.75 sq. ft.
Exposure on Roof—5".
Percent of Roof Covered by 1, 2, 3 and 4 layers respectively ..... 1— 4%
2—59%
3—37%

Underwriters' Class—C. Pitch 4" to 1 ft. and up.

Super 3-in-1 Thick Butt Shingle

Size of Shingle—12" x 36"
Standard Shipping Weight—240 lbs.
Material per Square—233.75 sq. ft.
Exposure on Roof—5"
Per cent of Roof Covered by 1, 2, 3 and 4 layers respectively ..... 1— 4%
2—59%
3—37%

Underwriters' Class—C. Pitch 4" to 1 ft. and up.

Special 3-in-1 Thick Butt Shingles

Size of Shingle—15 x 36"
Standard Shipping Weight—250 lbs.
Material per Square—293.75 sq. ft.
Exposure on Roof—5"
Per Cent of Roof Covered by 1, 2, 3 and 4 layers respectively ..... 1— 0
2— 6%
3—94%

Underwriters' Classification—C. Pitch 4" to 1 ft. and up.

Test No. 2—Flat Shingles Square Butt Type

American Double Twin—These shingles were applied to a combustible deck with standard roofing nails 5 to a strip and with specifications as follows:

Size of Shingle—10 x 40"
Standard Shipping Weight—206 lbs.
Material per Square—242 sq. ft.
Exposure on Roof—4"
Per Cent of Roof Covered by 1, 2, 3 and 4 layers respectively ..... 1— 3%
2—50%
3—47%

Underwriters' Classification—C. Pitch 6" to 1 ft. and up.

The brand was consumed in seventeen minutes, thirty seconds, consuming the top ply, second ply—slightly, third ply—untouched with no charring of the wood deck (see Photo No. 6).

Similar shingles of heavier construction or greater coverage are manufactured with specifications as follows:

Flat Shingles of a Square Butt Type—Neponset Double twins

Size of Shingle—12½ x 40"
Standard Shipping Weight—260 lbs.
Material per Square—305 sq. ft.
Exposure on Roof—4"
Per Cent of Roof Covered by 1, 2, 3 and 4 layers respectively..... 1— 0
2— 6%
3—82%
4—12%

Underwriters' Classification—C. Pitch 4" to 1 ft. and up.
Giant Individual Shingles
Size of Shingle—12 x 16"
Standard Shipping Weight—325 lbs.
Material per Square—301 sq. ft.
Exposure on Roof—5"
Per Cent of Roof Covered by 1, 2, 3 and 4 layers respectively.................... 1— 0
2—14.1%
3—70.6%
4—15.3%

Underwriters' Classification—C. Pitch 4" to 1 ft.
Standard Individual Shingle
Size of Shingle—9 x 12½"
Standard Shipping Weight—250 lbs.
Material per Square—296.8 sq. ft.
Exposure on Roof—4"
Per Cent of Roof Covered by 1, 2, 3 and 4 layers respectively ....1— 5%
2— 6%
3—78%
4—11%

Underwriters' Classification—C. Pitch 4" to 1 ft.
Test No. 3—Reroofing Shingles for the Single Thickness Type. Lock Butt Shingles

These shingles were applied to a combustible deck with standard roofing nails, two nails per shingle with specifications as follows:
Size of Shingle—16 x 16"
Standard Shipping Weight—130 lbs.
Material per Square—144.5 sq. ft.
Exposure on Roof—13½ x 13½"
Per Cent of Roof Covered by 1, 2, 3 and 4 layers respectively .... 1—66%
2—25%
3— 9%

Underwriters' Classification—C. Pitch 6" to 1 ft.

The Brand was consumed in 21 min. 45 sec. consuming all plies and charring the wood deck over an area of 5 by 7 inches with a depth of char of 3/32 inch. See photo No. 3. Similar shingles of heavier construction or greater coverage are manufactured with specifications as follows:

Log-Set Shingle
Size of Shingle—12⅝ x 16"
Standard Shipping Weight—135 lbs.
Material per Square—152.88 sq. ft.
Exposure on Roof—10⅛"
Percent of Roof Covered by 1, 2, 3 and 4 layers respectively .... 1—58%
2—32.4%
3— 9.6%

Underwriters' Classification—C. Pitch 4" to 1 ft. and up.
Copper Clift Shingle
Size of Shingle—16" x 16"
Standard Shipping Weight—140 lbs.
Material per Square—144.8 sq. ft.
Exposure on Roof—13½" x 13½"
Percent of Roof Covered by 1, 2, 3 and 4 layers respectively.................... 1—67.6%
2—25.9%
3— 6.5%

Underwriters' Classification—C. Pitch 6" to 1 ft.
Giant Individuals Laid by the Dutch Lap Method

This shingle is similar in form to the individual shingles previously mentioned, the only difference being in the manner in which they are applied. When applied by the Dutch Lap Method they fall into the so-called single thickness class of shingle.
Size of Shingle—12" x 16"
Standard Shipping Weight—162 lbs.
Material per Square—150 sq. ft.
Exposure on Roof—10"
Percent of Roof Covered by 1, 2, 3 and 4 layers respectively.................... 1—61.5%
2—29.2%
3— 9.3%

Underwriters' Classification—C. Pitch 6" to 1 ft.

Note:—It is recommended that one lower corner o Giant Individuals laid by the Dutch Lap Method b fastened with a copper clip or a copper staple. How ever, cement may be used for sealing the exposed butts 113 clips or staples are required per square of shingles

In the case of Copper-Clipt shingles, 82 staples ar required per square of shingles.

All Bird Asphalt Shingles are saturated to 185% based on the weight of the dry felt used.

Test No. 4 and 5—New Roofing—Flat Shingles of th Hex Type

Tests were conducted on two shingles in this grou as follows:

American Hex Twins

These shingles were applied to a combustible dec with standard roofing nails 4 to a shingle with specif cations as follows:
Size of Shingle—11⅓ x 40"
Standard Shipping Weight—165 lbs.
Material per Square—195 sq. ft.
Exposure on Roof—4-2/3"
Per Cent of Roof Covered by 1, 2, 3 and 4 layers respectively.................. 1—14.7
2—66.9
3—18.4

Underwriters' Classification—C. Pitch 6" to 1 ft.

The brand was consumed in 15 min. 30 sec. consum ing the first ply but leaving untouched the second p wherever it existed, and charring the least protect portion of the deck over an area of 2½ inches by inches to a depth of 1/32 inch. (See photo No. 5).

The second test was similarly conducted with sar nailing on the shingle with the following specificatic

Neponsit Hex Twins
Size of Shingle—14 x 40"
Standard Shipping Weight—215 lbs.
Material per Square—252.7 sq. ft.
Exposure on Roof—4-2/3"
Per Cent of Roof Covered by 1, 2, 3 and 4 layers respectively..................... 1— (
2—3
3—6
4— (

Underwriters' Classification—C. Pitch 4" to 1 ft.

The brand was consumed in 18 min. consuming first ply with no affect on the wood decking (S Photo No. 4) Similar shingles of heavier construct or greater coverage are manufactured with specifi tions as follows:

Special Hex Shingles
Size of Shingle—13 x 40"
Standard Shipping Weight—207 lbs.
Material per Square—210 sq. ft.
Exposure on Roof—5"
Percent of Roof Covered by 1, 2, 3 and 4 layers respectively.....................1—14.
2—62.
3—24.

Underwriters' Classification—C. Pitch 6" to 1 ft.
12⅓" *Hex Twins Shingle*
Size of Shingle—12⅓ x 40"
Standard Shipping Weight—183 lbs.
Material per Square—215 sq. ft.
Exposure on Roof—4⅔"
Percent of Roof Covered by 1, 2, 3 and 4 layers respectively .... 1—
2—
3—

Underwriters' Classification—C. Pitch 6" to 1 ft.
Bird Built Up Roofing Specifications—Number Classification
Test Nos. 6 *and* 7

Asphalt and Gravel or Slag. The specificatior built up roofing tested is as follows:

Specification No. 103
Installation Details

Two plies of Bird 15# Asphalt Felt 36" wide are laid dry over the entire roof deck. Lapped 19" and nailed in two staggered parallel rows ¾" and 8½" above the lower edge, and spaced 9" center to center.

Two additional plies of Bird 15# Asphalt Felt 36" wide are laid over the entire surface, lapped 19" and each sheet embedded its full width in Bird Roofing Asphalt No. 16.

A uniform coating of Bird Roofing Asphalt No. 16 is poured over the entire surface, into which while hot, shall be embedded not less than 400 lbs. of gravel or 300 lbs. of slag per 100 sq. ft.

Summary

Roof Deck—Wood or Precast Gypsum
Type of Surface—Slag or Gravel
Underwriters' Classification—A
4 plies of Bird 15# Asphalt Felt
Total Number of Moppings—3
Total Weight per Square—Slag—482 lbs.
Gravel—582 lbs.

This roof is to be used over wood or precast gypsum when the pitch is from ¼" to 3" per foot.

The brand was consumed in 18 minutes, slightly charring one ply with no effect on wood deck. (See photo No. 13).

Tests were also conducted on a specification of roofing on a concrete deck as follows:

Specification No. 104

Installation Details

The entire roof surface was first primed with Bird Asphalt primer. Three plies of Bird 15# Asphalt Felt 36" wide is laid over the entire roof surface. Each sheet lapped 25" and embedded in Bird Roofing Asphalt. Each sheet shall be nailed 3" from the upper edge with barbed nails driven through flat tin discs spacing not more than 12" on centers.

A uniform coating of Bird Roofing Asphalt No. 16 is poured over the entire surface, into which while hot is embedded not less than 400 lbs. of gravel or 300 lbs. of slag per 100 square feet.

Summary

Roof Deck—Concrete
Type of Surface—Slag or Gravel
Underwriters' Classification—A
Three plies of Bird 15# Asphalt Felt
Number of Moppings—4
Total Weight per Square—Slag—406 lbs.
Gravel—606 lbs.

This roof is applied over concrete deck with a slope of from ¼" to 2" per foot. When the slope is over 2", nailing strips are provided for in the roof deck.

The brand was consumed in 16 minutes with no plies consumed and no affect on the deck. (See Photo #1.)

Similar roofing of heavier construction are manufactured as follows:

Specification No. 101

Installation Details

Two plies of Bird No. 15 Asphalt Felt 36" wide are laid dry over the entire roof deck. Lapped 19" and nailed in two staggered parallel rows ¾" and 8½" above the lower edge and spaced 9" center to center.

Three additional plies of Bird 15# Asphalt felt 36" wide are laid over the entire surface. Lapped 25" and each sheet imbedded its full width in Bird Roofing Asphalt No. 16.

A uniform coating of Bird Roofing Asphalt No. 16 is poured over the entire surface. Into this coating while hot is imbedded not less than 400 lbs. of gravel or 300 lbs. of slag for each 100 sq. ft. of roof surface.

Summary

Roof Deck—Wood or Precast Gypsum
Type of Surface—Slag or Gravel
Underwriters' Classification—A
5 Plies of Bird 15# Asphalt Felt
Number of Moppings—4
Total Weight per Square—Slag—528 lbs.
Gravel—628 lbs.

This roof is used over wood or precast gypsum decks having a slope of from ¼" to 3" per foot.

Specification No. 102

Installation Details

The entire roof surface shall first be primed with Bird Asphalt primer. Four plies of Bird 15# Asphalt Felt 36" wide shall be laid over the entire roof surface, each sheet lapped 27½" and embedded in Bird Roofing Asphalt, No. 16. Each sheet shall be nailed 3" from the upper edge with barbed nails driven through flat tin discs spaced not more than 12" on centers. When the roof is otherwise complete, pour from a dipper a uniform coating of Bird Asphalt Compound into which while hot, is embedded not less than 400 lbs. of Gravel or 300 lbs. of Slag for each 100 sq. ft. of roof surface.

This roof is used over concrete decks having a slope of ¼" to 2". Where the slope is over 2", nailing strips shall be provided for in the roof deck.

Summary

Roof Deck—Concrete
Type of Surface—Slag or Gravel
Underwriters' Classification—A
4 Plies of Bird 15# Asphalt Felt
Number of Moppings—5
Total Weight per Square—Slag—552 lbs.
Gravel—652 lbs.

No. 600 *Classification*

Tests No. 8 *and No.* 9 *and No.* 10

Three tests were conducted on number 600 classification with builtup roofing as follows:

Specification 603

Installation Details

The entire roof deck is covered with one layer of Sheathing Paper lapping the sheets not less than 1".

Two plies of Bird No. 15 Tarred Felt are laid dry over the sheathing paper, lapped 17" and nailed often enough to hold the sheets in place.

Two additional plies of Bird No. 15 Tarred Felt are laid over the entire surface, lapped 17" and each sheet embedded its full width in Bird Roofing Pitch. Each sheet is nailed along the upper edge with barbed nails driven through flat tin discs spaced not more than 2 ft. on centers.

A uniform coating of Bird Roofing Pitch is poured over the entire surface using not less than 60 lbs. per 100 sq. ft. into which, while hot, shall be embedded not less than 400 lbs. of gravel or 300 lbs. of slag per 100 sq. ft.

Summary Roof Deck—Wood or Precast Gypsum
Type of Surface—Slag or Gravel
Underwriters' Classification—A
Make-up of Roof—one layer of Bird Rosin Sized Sheathing paper
—Four layers of Bird No. 15 Tarred Felt
3 moppings of Bird Roofing Pitch
Total weight per square—Slag—488 lbs.
Gravel—588 lbs.

The brand was consumed in 16 minutes, 20 seconds, consuming one ply and with no affect on the wood deck. See Photo No. 12. This roof to be used over wood or precast decks having a slope of not over 2" per horizontal foot.

A Test (No. 9) *on Specification No.* 603-12.

The specification of the builtup roofing is the same as the preceding specification No. 603, except that four 12 lb. tarred felts were substituted for the 15 lb. felt specified thereon.

The brand was consumed in 21 minutes, 55 seconds and consumed the three top plies with no affect on the bottom ply (for this test the gravel surfacing was purposely omitted). See photo No. 10. test No. 9.

Specification No. 103-12 is the same as preceding, except that 12 lb. asphalt felt is substituted for the 12 lb. tarred felt.

A test No. 10 *on Specification No* 604.

Specification No. 604

Installation Details

The entire roof deck is coated with bird Roofing Pitch.

3 plies of Bird No. 15 Tarred Felt are laid over the entire roof surface, each sheet lapped 22″ and embedded in Bird Roofing Pitch. Each sheet is nailed along the upper edge with barbed nails driven through flat, tin discs not more than 2 ft. on centers.

A uniform coating of Bird Roofing Pitch is poured over the entire surface, using not less than 60 lbs. per 100 sq. ft. into which, while hot, is embedded not less than 400 lbs. of gravel or 300 lbs. of slag per 100 sq. ft.

Summary Roof Deck—Concrete, Gypsum or Bird Roof Insulator
Type of Surface—Slag or Gravel
Underwriters' Classification—A
Make-up of Roof—Three layers of Bird No. 15 Tarred Felt
—4 moppings of Bird Roofing Pitch
Total weight per square—Slag—496 lbs.
Gravel—596 lbs.

This roof is used over poured concrete, Gypsum or Bird Roof Insulator, when the slope is from 0″ to 2″ per foot.

The brand was consumed in 15 minutes with no affect on the roofing or the decking (see Photo No. 2).

Similar roofings of heavier construction are manufactured, as follows:

Specification No. 601

Installation Details

The entire roof deck shall be covered with one layer of sheathing paper lapping the sheets not less than 1″. Two plies of Bird No. 15 Tarred Felt shall be laid dry over the sheathing paper, lapped 17″ and nailed often enough to hold the sheets in place. Three additional plies of Bird No. 15 Tarred Felt shall be laid over the entire surface, lapped 22″ and each sheet embedded its full width in Bird Roofing Pitch. Each sheet shall be nailed along the upper edge with barbed nails drive through flat tin discs spaced not more than 2 ft. on centers. A uniform coating of Bird Roofing Pitch shall be poured over the entire surface, using not less than 60 lbs. per 100 sq. ft. into which, while hot, shall be embedded not less than 400 lbs. of gravel or 300 lbs. of slag per 100 sq. ft.

Summary Roof Deck—Wood or precast Gypsum
Type of Surface—Slag or Gravel
Underwriters' Classification—A
Make-up of Roof—One layer of Bird Rosin Sized Sheathing Paper
—five layers of Bird No. 15 Tarred Felt
4 moppings of Bird Roofing Pitch
Total Weight per square—Slag—534 lbs.
Gravel—634 lbs.

This roof is to be used over wood or precast Gypsum deck having a slope of from 0″ to 2″ per foot.

Specification No. 602

Installation Details

The entire roof deck shall be coated with Bird Roofing Pitch. 4 plies of Bird No. 15 Tarred Felt shall be laid over the entire roof surface, each sheet lapped 24½″ and embedded in Bird Roofing Pitch. Each sheet shall be nailed along the upper edge with barbed nails driven through flat tin discs spaced not more than 2 ft. on centers. A uniform coating of Bird Roofing Pitch shall be poured over the entire surface using not less than 60 lbs. per 100 sq. ft. into which, while hot shall be embedded not less than 400 lbs. of gravel or 300 lbs. of slag per 100 sq. ft.

Summary Roof Deck—Concrete, Gypsum or Bird Roof Insulator
Type of Surface—Slag or Gravel
Underwriters' Classification—A
4 plies of Bird No. 15 Tarred Felt
3 moppings of Bird Roofing Pitch
Total weight per square—Slag—542 lbs.
Gravel—642 lbs.

This roof to be used over poured concrete or Gypsum decks or over Bird Roof Insulator when the slope is from 0″ to 2″ per foot.

No. 200 Classification Mineral surfaced cap sheet type Test No. 11

Specification No. 207 of roof decking made up as follows:

Installation Details

The entire surface is covered with one layer of Bird No. 55 Base Sheet lapped 2″ at edges and 6″ at end Laps are cemented with hot Bird Roofing Asphalt No. 18 and nailed on 6″ centers. Bird Neponset Cap Sheet is laid in two ply construction over the base sheet lapped 19″ and embedded its full width in Bird Roofing Asphalt No. 18 applied at the rate of 30 lbs. of Roofing Asphalt per mopping per 100 sq. ft. The felt or selvage portion of the Cap Sheet is nailed in two staggered parallel rows ¾″ and 10″ from the edge spacing the nails 12″ center to center.

Summary Roof Deck—Wood or Precast Gypsum
Type of Surface—Bird Neponset Cap Sheet
Underwriters' Classification—C
Make-up of Roof—1 layer of Bird No. 55 Base Sheet
Surface layer of Bird Neponset Cap Sheet 2 moppings of Bird Roofing Asphalt No. 18
Total Weight per square—203 lbs.

This roof is used over wood or precast Gypsum decks having a slope of from 4″ and up.

The brand was consumed in 14 minutes, 20 seconds consuming the top ply with no effect on the remaining plies and deck. See photo No. 11.

Similar roofings of heavier construction are manufactured, as follows:

Specification No. 205

Installation Details

The entire roof deck is covered with two plies of Bird 15# Asphalt Felt, lapped 19″ and the 19″ lap embedded in Bird Roofing Asphalt No. 18 applied at the rate of 30 lbs. of Roofing Asphalt per mopping per 100 sq. ft. Each sheet is nailed in two staggered parallel rows ¾″ and 9″ from the lower edge of the sheet, spacing the nails 12″ center to center.

Bird Neponset Cap Sheet is laid in two ply construction over the felt, lapped 19″ and embedded its full width in Bird Roofing Asphalt No. 18 applied at the rate of 30 lbs. of Roofing Asphalt per mopping per 100 sq. ft.

Summary
Roof Deck—Wood or Precast Gypsum
Type of Surface—Bird Neponset Cap Sheet
Underwriters' Classification—C
Make-up of Roof—2 plies of 15# Asphalt Felt covered with Bird Neponset Cap Sheet
Number of Moppings—3
Total Weight per Square—209 lbs.

This roof is used over wood or precast gypsum decks having a slope of from 1″ to 6″ per foot.

Specification No. 206

Installation Details

The entire surface to be roofed and flashed is coated with Bird Asphalt Primer. The entire roof deck is covered with two plies of Bird 15# Asphalt Felt lapped 19″ and each sheet embedded its full width in Bird Roofing Asphalt No. 18 applied at the rate of 30 lbs. of Roofing Asphalt per mopping per 100 sq. ft. Each sheet shall be nailed in two staggered parallel rows ¾″ and 9″ from the lower edge of the sheet spacing the nails 12″ from center to center.

Bird Neponset Cap Sheet shall be laid in two ply construction over the felt, lapped 19″ and embedded its full width in Bird Roofing Asphalt No. 18, applied at the rate of 30 lbs. of Roofing Asphalt per mopping per 100 sq. ft.

Summary
Roof Deck—Poured Concrete, Gypsum or Bird Roof Insulator

Type of Surface—Bird Neponset Cap Sheet
Underwriters' Classification—C
Make-up of Roof—2 layers of Bird 15# Asphalt Felt surfaced with Bird Neponset Cap Sheet
4 Moppings of Bird Roofing Asphalt No. 18
Total Weight per Square—249 lbs.

This roof to be used over poured concrete, Gypsum or Bird Roof Insulator when the slope is from 1" to 6" per foot.

Specification No. 208

Installation Details

The entire surface to be roofed and flashed is coated with Asphalt Primer and allowed to dry. The entire roof surface is covered with one layer of Bird 45# Base Sheet embedded its full width in Bird Roofing Asphalt No. 18 and lapped two inches at edges and six inches at the ends. Laps are cemented with hot Bird Roofing Asphalt No. 18 and nailed on 6" centers.

Bird Neponset Cap Sheet was laid in 2-ply construction over the base sheet, lapped 19" and embedded its full width in Bird Roofing Asphalt No. 18 applied at the rate of 30 lbs. of Roofing Asphalt per mopping per 100 square feet. The felt or selvage portion of the Cap Sheet shall be nailed in two staggered parallel rows, ¾" and 10" from the edge, spacing the nails 12" center to center.

Summary

Roof Deck—Concrete, Gypsum or Bird Roof Insulator
Type of Surface—Bird Neponset Cap Sheet
Underwriters' Classification—C
Make-up of Roof—1 layer of 45# Base Sheet and a surface layer of Bird Neponset Cap Sheet
3 Moppings of Bird Roofing Asphalt No. 18
Total Weight of Roof per Square—233 lbs.

This roof to be used over poured concrete, gypsum or Bird Roof Insulator when the slope is 4" or greater.

Classification No. 300—*Asbestine Talc Surface Type*

Test No. 12

A sample roof decking was constructed of this type of roofing material with specifications as follows:

Specification No. 303

Installation Details

The entire roof deck is covered with two plies of Bird 15# Asphalt Felt lapped 19" and the 19" lap embedded in Bird Roofing Asphalt No. 18 applied at the rate of 30 lbs. of Roofing Asphalt per mopping per 100 square feet. Each sheet nailed in two staggered parallel rows ¾" and 9" from the lower edge of the sheet, spacing the nails 12" center to center.

Bird Paroid Cap sheet is laid in two-play construction over the felt, lapped 19" and embedded its full width in Bird Roofing Asphalt No. 18, applied at the rate of 30 lbs. of Roofing Asphalt per mopping per 100 square feet.

Summary

Roof Deck—Wood or Precast Gypsum
Type of Surface—Asbestine Talc
Underwriters' Classification—C
Make-up of Roof—2 layers of Bird 15# Asphalt Felt.
1 layer of Bird Paroid Selvage Edge Cap Sheet
3 moppings of Bird Asphalt Compound.
Total weight per square—176 lbs.

This roof is to be used over wood or precast Gypsum when the slope is from 1" to 6" per foot.

The brand was consumed in 23 minutes, 30 seconds, consuming all plies with a slight charring 1 in. by 1 in. of the wood deck to a depth of 1/32 inch. See Photo No. 8.

Similar roofings of heavier construction are manufactured as follows:

Specification No. 304

Installation Details

1. The entire surface to be roofed and flashed shall be coated with Bird Asphalt Primer and allowed to dry.
2. The entire roof deck shall be covered with 2 plies of Bird 15# Asphalt Felt, lapped 19" and each sheet embedded its full width in Bird Roofing Asphalt No. 18, applied at the rate of 30 lbs. of roofing asphalt per mopping per 100 square feet. Each sheet shall be nailed in two staggered parallel rows ¾" and 9" from the lower edge of the sheet spacing the nails 12" center to center.
3. Bird Paroid Cap Sheet shall be laid in 2-ply construction over the felt, lapped 19" and embedded its full width in Bird Roofing Asphalt No. 18 applied at the rate of 30 lbs. of roofing asphalt per mopping per 100 square feet.
4. *Summary*

Roof Deck—Concrete, Gypsum or Bird roof Insulator
Type of Surface—Asbestine Talc
Underwriters' Classification—C
Make-up of Roof—2 layers of Bird 15# Asphalt Felt
1 layer of Bird Paroid Cap sheet
4 moppings of Bird Roofing Asphalt No. 18
Total weight per square—216 lbs.

This roof is to be used over poured concrete Gypsum or Bird Roof Insulator

NOTE: Bird Roofing Asphalt No. 16 has a melting point of 150° F. to 165° F. and is to be used where the roof pitch is relatively flat. Bird Roofing Asphalt No. 18 has a melting point of 170° to 190° F. and is used in steep roof construction.

Bird No. 16 Asphalt falls within A.S.T.M. specifications D-312-37-T, Type B, and Government Specification 33-2-666, Type 2, Grade 1, and also Type 1.

Specification No. 301

Test No. 13

A sample roof decking was constructed of this roofing with the following specifications:

Installation Details

1. The entire surface is covered with one ply of Bird 55# Base Sheet, lapping not less than 2" at the edges and cementing the laps with hot Bird Asphalt Compound. Each sheet is nailed through the laps, spacing the nails not more than 6" center to center.
2. The entire roof is then covered with Bird Paroid Cap Sheet lapping each sheet 19" and embedding the entire 36" in hot Bird Asphalt Compound No. 18. The 19" Selvage Edge is to be nailed in two longitudinal staggered rows ¾" and 10" from the edge spacing the nails 12" center to center.
3. *Summary*

Roof Deck—Wood or precast Gypsum
Type of Surface—Asbestine Talc
Underwriters Classification—C
Make-up of Roof—1 layer of Bird 55# Base Sheet
1 layer of Bird Paroid Selvage Edge Cap Sheet
2 Moppings of Bird Asphalt Compound
Total Weight per square—170 lbs.

This roof is used over wood or precast Gypsum having a slope of from 4" and up.

The Brand was consumed in 31 minutes and 15 seconds, consuming all plies and charring the wood deck over an area of 75 square inches and to a depth of 3/16 inch. (See photo No. 9).

(*See Committee recommendation for limitation of use.*)

A similar roofing is manufactured for use over poured concrete or gypsum and which specification is as follows:

Specification No. 302
Installation Details.

1. The entire surface to be roofed and flashed shall be coated with Bird Asphalt Primer and allowed to dry.
2. The entire roof surface shall be covered with one layer of Bird No. 45 Base Sheet embedded full width in Bird Roofing Asphalt No. 18 and lapped 2 in. at edges and 6 in. at ends. The laps shall be cemented with hot Bird Roofing Asphalt No. 18 and nailed on 6 in. centers.
4. Bird Paroid Cap Sheet shall be laid in 2-ply construction over the base sheet lapped 19 in. and embedded its full width in Bird Roofing Asphalt No. 18 applied at the rate of 30 lbs. of Roofing Asphalt per mopping per 100 square feet. The felt or selvage portion of the Cap Sheet shall be nailed in two staggered parallel rows ¾ in. and 10 in. from the edge spacing the nails 12 in. center to center.
4. *Summary*:
   Roof Deck—Concrete Gypsum or Bird Roof Insulator
   Type of Surfacing—Asbestine Talc
   Underwriters' Classification—C
   Make-up of Roof—1 layer of Bird 45# Base sheet
   1 layer of Bird Paroid Cap sheet
   3 moppings of Bird No. 18 Asphalt Compound
   Total weight per square—200 lbs.

This roof is to be used over poured concrete, Gypsum or Bird Roof Insulator when the slope is 4 in. or greater.

Bird Mineral Surfaced Rolled Roofing

Tests No. 14 *and No.* 15—A sample was constructed of this type of roofing in a combustible deck with specifications as follows:

75# *Mineral Surfaced Roofing*

Laps are cemented with Bird Asphalt Lap Cement and nailed every 2 in. through the lap. Pitch 4 in. to 1 ft.

Width of roll....36 in.
Shipping wt.....75 lbs.
Material—sq. 108 sq. ft.

The brand was consumed in 15 minutes, 30 seconds, consuming all plies and charring the wood deck over an area 10 in. by 8 in. to a depth of 3/16 inch. See Photo No. 15.

(*See recommendation of Committee as to limitation of use.*)

The preceding test was repeated on a heavier roofing with specifications as follows:

Test No. 15.

90#. *Mineral Surfaced Roofing*—This roofing is cemented at the laps with Bird Asphalt Lap Cement and the laps are nailed every 2 in. through the center of the lap and through the cement. Nails and cement are furnished with the rolls.

Width of roll............36 in.
Shipping wt.............90 lbs.
Material / sq.........108 sq. ft.
Underwriters' Classification—C

The brand was consumed in 13 minutes, 30 seconds, consuming all plies and charring the wood deck over an area of 8 in. by 6 in. to a depth of ⅛ inch. (See Photo No. 14.)

(*See Recommendation of Committee as to limitation of use.*)

These roofings are manufactured of similar or heavier material as follows:

96 *lbs. Slate Surfaced Roofing*
(*with a 2 in. selvage edge.*)

This material is the same as the 90 lb. Mineral Surfaced Roofing except that it is slit to an 18 inch width. It is applied in the same manner.

Width of sheet..........18 in.
Shipping wt.............96 lbs.
Material / sq.........116 sq. ft.
Underwriters' classification—C

Proslate Mineral Surfaced Roofing

This material has a 3 in. selvage edge and is applied by the blind nailed method, in other words, there are no exposed nails.

A special Quick Setting Cement is supplied with this roofing.

Width of roll............36 in.
Shipping wt.............90 lbs.
Material / sq.........111 sq. ft.
Underwriters' Classification—C

Proslate Mineral Surfaced Roofing (19 in.)

This material is similar to the Proslate Roofing above, except that it has been slit to a 19 in. width. This material also has a 3 in. selvage edge and is applied by the blind nail method.

Width of roll............19 in.
Shipping wt.............90 lbs.
Material / sq.......122.5 sq. ft.
Underwriters' Classification—C

On the basis of these tests approval is recommended of these roofings as meeting the requirements of group 16 A.C. fire tests. (10.1.16 B.C.) with limitations as follows:

Shingles—Approval is recommended on all classes of shingles, provided that the group of shingles under Test No. 3, Lock Butt Shingles—Loc-Set Shingles Copper-Clipt shingles, Giant Individual laid Dutch Lap method, shall be provided with not less than a 14 lb. saturated Asphalt-felt when used on new roofs.

Bird Built-Up Roofing Specifications

Approval is recommended of roofings under this classification, Series 100, 200, 300 and 600, when used with either 3 lbs. of slags or 4 lbs. of graded gravel (screened ¼ to ⅝) per sq. ft. of roofing and imbedded in a coating of asphalt or tar and when used for the roof construction specified herein, respectively, excepting that *Specification No.* 301 *shall be limited to re roofing.* (Specification 302 may be used over incombustible roofs, where promenades are provided over this roofing. The roofing shall be protected by either quarried slate or ceramic tile not less than 6 in. by 6 in. by ¼ inch firmly imbedded in asphalt, tar or portland cement mortar, which construction shall be used in lieu of slag or gravel surfacing.

Bird Mineral Rolled Roofing—

Approval is recommended on the roofings under this group, provided that on new roofing over combustible roofs *additional protection shall be provided by application of at least one layer of saturated asphalt felt not less than* 14 *lbs.* That nothing herein contained shall preclude the use of additional plies of saturated rag felt, provided that the total weight of the plies used *shall be more* than that approved for any specification listed herein.

It is also recommended that the material when used in New York City shall have each package or roll clearly marked or labelled "Approved by the Board of Standards and Appeals for Use in New York City under Cal. No. 341-38-SM."

(Sgd.) BERNARD A. SAVAGE, Commissioner.
CHARLES M. BLUM, Commissioner.
LESLIE V. HUBER, Chief Engineer.

Resolved, that the Board of Standards and Appeals do hereby approve the materials known as Bird Roofing Material, Paroid and Neponset, Specifications 201, 202, 20[illegible] and 204 and Bird Asphalt Roofing Shingles, Neponsit Tw[illegible] Shock Butt Shingle, 3 in 1 Thick Butt Shingle, Super [illegible] in 1 Thick Butt Shingle, Special 3 in 1 Thick Butt Shingl[illegible] American Double Twin Flat Shingles, Square Butt Typ[illegible]

MINUTES

Neponset Double Turn Flat Shingles, Square Butt Type, Giant Individual Shingles, same type, Standard ndividnal Shingles, same type, Lock Butt, re-roofng shingles, single thickness type, Lock Set Shingle, Copper Clipt Shingle, Giant Individual Shingles, aid by Dutch Lap Method, American Hex Twin Shingles, Neponset Hex Twin, Special Hex Shingles 12 1-3 nch Hex Shingles, Number 100 Classification, Bird Built-Jp Roofing, Specification No. 104, No. 101 and 102, Numer 600, Classication Bird Built-Up Roofing, Specification 03, Specification 603-12, Specification 604, Specification 601, Specification 602, Number 500, Classification, Specification 07, Specification 205, Specification 206, Specification 208; Number 300, Classification, Specification 303, Specification 04 Specification 301, Specification 312; Bird Mineral Surfaced Rolled Roofing, 75 lb. Mineral Surfaced Roofing, 90 . Mineral Surfaced Roofing, 96 lb. Slate Surfaced Roofng, Proslate Mineral Surfaced Roofing, Proslate Mineral Surfaced Roofing (19 in.)—*for use in New York City, in ccordance with the specifications and under the conditions et forth in the above reports.*

20-38-SM.

APPLICANT—A. F. Goris, agent, for Union Briquetiere, Societe Cooperative (United Brick Works Cy.), Antwerp, Belgium, owner.

SUBJECT—Approval of Belgium Brick, manufactured by Union Briquetiere, Societe Cooperative (United Brick Works Cy.), Antwerp, Belgium.

APPEARANCES—
For Applicant: A. F. Goris.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(620-38-SM)

WHEREAS, A. P. Goris, agent for Union Briquetiere, ociete Cooperative (United Brick Works Cy.), Antwerp, elgium, filed July 13, 1938, an application with the Board Standards and Appeals for approval of the Belgium rick; and

WHEREAS, this material was submitted to the Committee Tests of the Board for test and report; and

WHEREAS, the report of the committee was as follows:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 620-38-SM

Subject: Belgium Brick (Common Clay)

On July 13, 1938, A.F. Goris of New York City, filed with the Board a request for the approval of foreign brick manufactured by Union Briquetiere, Societe Cooperative (United Brick Works Cy.) Antwerp, Belgium. This shipment consists of 5,000 bricks which arrived on the S.S. Westernland. This brick is manufactured of Alluvial clay from the Boom District of Belgium. It is red in color, wire cut and made to meet the American Specification 8 in. by 3½ in. by 2¼ in. Samples of this shipment were tested by the R. W. Hunt Co. of New York City in accordance with the requirements of the A.S.T.M. C-62-36T and C-67-36T with results as follows:

	Tests Results	A.S.T.M. Requirements.
Compressive Strength	6756 P.S.I.	4500 P.S.I. for grade A
Modulus of Rupture-Flexure Test (Transverse) Span 7 in...	1200 P.S.I.	600 P.S.I. or more
Water Absorption		
*% 5 hrs. Boiling Water	9.89%	20% max.
*C/B Ratio	.87	None for Grade A

*The ratio C/B is the ratio of absorption by 24 hour submergence in cold water to that after five hours in boiling water.

On the basis of having met the test requirements of the A.S.T.M. for Grade A, common brick, it is recommended that this shipment of 5000 bricks from the Union Briquetiere, Societe Cooperative (United Brick Works Cy.) Antwerp, Belgium, be approved for use under C-26-307.0 A.C. (7.1.1.2.1 B.C,) and that each job shipment shall have a bill on which shall be stated "Approved for use in New York City, Cal. 620-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Belgium Brick, as shipped on the S.S. Westernland, for use in New York City, in accordance with the above report.

Adjourned, 5:25 P. M.

EDWARD V. BARTON, Chief Clerk.

NOTICE

WARNING

Notice is hereby given to all appellants and applicants, d to all lawyers, architects and engineers representing ners or lessees in proceedings before the board—

First, That if they do not appear in person or by repentative at the hearing of their case, dismissal for lack prosecution is likely to result.

Second, That due and ample notice of the date set for ring is provided in the publication in this BULLETIN of calendars of the board, each case being set down by lendar Number and premises under the date of the ring.

Third, That no plea of ignorance of the date of the ring can be entertained in view of this publication and the posting of the calendars on the bulletin board in the offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendancy of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

PUBLIC HEARING

PROPOSED RULES RELATIVE TO SUBMERGED INLETS AND PROTECTIVE METHODS TO BE APPLIED TO PREVENT CONTAMINATION OF WATER SUPPLY.

(835-38-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, October 28, 1938, at 10 a.m., Room 1013, Municipal Building, on Proposed Rules relative to Submerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply, Supplementing Sections 14-7-1-3 and 14-8-2-8, of the Building Code.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraphs 2 and 3, of the Charter of the City of New York and C26-514.0 of the Administrative Code (8.6.2.2).

Rule 1. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly from the house distribution piping, shall be equipped with an approved vacuum breaker in the supply line above the overflow level of the fixture, to prevent siphonage or backflow of contaminated water into the house distribution piping.

Rule 2. Ballcocks.

Ballcocks shall be of an approved vacuum breaker type located one-half inch above the overflow outlet of the flush tank.

Rule 3. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the overflow level of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture.

Rule 4. Sterilizers.

Direct water supply piping connections to sterilizers are prohibited. The waste piping for sterilizers shall not connect directly with any drainage system; such waste piping shall discharge above an open, water supplied, trapped and vented fixture.

Rule 5. Aspirators—Water Siphons.

Water supply connections to aspirators, water siphons or similar apparatus shall be equipped with a approved vacuum breaker and check valve, the chec valve to be located between the fixture and vacuu breaker. The waste pipe for this type of apparatu shall not connect directly with any drainage system bu shall discharge above an open, water supplied, trappe and vented fixture.

Rule 6. Bidets—Bed Pan Washers.

Water supply connections to bidets, bed pan washer or similar apparatus shall be equipped with an a proved vacuum breaker and check valve, the latter lo cated between the fixture and the vacuum breaker.

Rule 7. Roof or Suction Tanks.

Water supply inlets to roof or suction tanks sha be located at least two inches above the overflow lev of the tank.

Rule 8. Sump or Well Pumps.

Water supply connections for priming purposes sump, well, or similar type pumps shall be connecte to the inlet side of the pump and be equipped wi an approved vacuum breaker and check valve, th check valve to be located between the pump and th vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit f cooling purposes shall be equipped with an approv check valve to prevent possible back flow of ammon or other refrigerant agency from defective condens coils or jackets, except in such installations where t water supply piping is entirely outside of the pipi or tank containing the refrigerant and two inc pendent wall thicknesses of metal separate the r frigerant from the city water supply. Refrigerati units containing more than twenty pounds of refri erant shall be provided with an additional safegua in the form of an approved relief valve installed t the outlet side of the check valve, such relief val being set at five pounds above the maximum wa pressure at the point of installation.

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Name	*Calendar No.*
Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Croker National Fire Prev. Eng. Co.	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSUR

May be installed on all standpipe systems

Name	*Calendar N*
New York Brass Foundry Co. (Stillbech)	53-21-S
Walworth Company	900-27-S
W. D. Allen Mfg. Company	1151-27-S
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-S
Jenkins Brothers	780-28-S
Croker National Fire Prev. Eng. Co.	970-28-S
Fairbanks Company	268-29-S
Pratt & Cady	231-30-S
Elkhart	15-31-S

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

ublished weekly by the Board of Standards and Appeals at its office, Rooms 1000 to 1018, Municipal Building, New York City.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. MCELLIGOTT
EDWARD V. BARTON, *Chief Clerk*

FFICE—Municipal Building, Rooms 1000 to 1018.
ELEPHONE—WOrth 2-0184.
FFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

CONTENTS

iis issue of the Bulletin contains, in the order given—

ocket.

rtiorari Order Served on Board.

ules Directory.

ie Hearing Calendar.

inutes of Regular Meeting, October 18, 1938, at 10 A. M., Affecting Calendar Numbers 608-37-BZ, 416-38-BZ, 582-38-BZ, 657-38-BZ, 678-38-BZ, 685-38-BZ, 694-38-BZ, 711-38-BZ and 730-38-BZ.

nutes of Regular Meeting, October 18, 1938, at 2 P. M., Affecting Calendar Numbers 461-37-BZ, 583-38-BZ, 31-38-BZ, 398-38-BZ, 99-33-BZ, 537-37-BZ, 332-38-BZ, 26-23-BZ, 592-24-BZ, 42-37-BZ, 768-38-A, 807-38-A, 68-38-A, 878-38-A, 732-38-A, 758-38-A, 761-38-A, 780-8-A, 799-38-A, 804-38-A, 825-38-A, 829-38-A, 875-38-A, 81-38-A, 886-38-A, 893-38-A, 895-38-A, 896-38-A, 891-8-S, 492-38-SA, 890-38-SA and 733-38-SM.

rrections Affecting Calendar Numbers 284-36-BZ, 31-38-A and 734-38-SA.

oking in Factory, Rules.

tice of Public Hearing on Proposed Rules Relative to ubmerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply.

proved Fireline Hose Valves.

rd Quarterly Report.

e Retarding Rules for Garages, etc.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

DOCKET

New Cases Filed up to October 18, 1938

Cal. No. *Department* *Premises Affected*

874-38-SA.....Buzzer Fuel Oil Preheater (gas fired), Appliance.

875-38-A.....H.B.Q.....589 Beach 43rd street, west side, 1,000 ft. south of Beach Channel drive (Block 418, Lot 50), Edgemere, Borough of Queens, N.B. 2736-38.

876-38-SM.....Bird Asphalt Siding and Bird Asbestos Siding, manufactured by Bird and Son, Inc., Material.

877-38-BZ.....H.B.Bx.....2327 Grand Concourse, west side, 247 ft. north of East 183rd street (Block 3164, Lot 24), Borough of The Bronx, B.N. 999-38

878-38-A.....F.D.....South wing of Concession building, west side (swimming pool), Pelham Bay Park, Orchard Beach, Borough of The Bronx, 1078-L.C. and Decision.

879-38-BZ.....H.B.Q.....31-73 31st street, east side, 176 ft. north of Broadway (Block 613, Lot 13), Astoria, Borough of Queens, Decision re: Corr. 579-38 and Viol. 27-37.

880-38-SM.....Ritecure-Impervious Membrane Curing Compound (lacquer for curing concrete), manufactured by Thompson Materials Corporation, Material.

881-38-A.....F.D.....223-225 East 17th street, north side, 281.5 ft. west of Second avenue (Block 898, Lot 16), Borough of Manhattan, 2382-L.F.

882-38-SM.....Key Graphite Paste, manufactured by Key Company, Material.

883-38-A.....F.D.....North side of 48th avenue, between 31st street and 31st place (Block 281, Lot 1), Long Island City, Borough of Queens, 727-L.C. and Decision.

884-38-SA.....Acetylene Generator, Carbic Type CNP2, Appliance.

885-38-A.....H.B.M.....55-57 Avenue D, southwest corner of East Fifth street (Block 374, Lot 34), Borough of Manhattan, Decision re: F.P. 504-38.

886-38-A.....H.B.Bx.....2382-2386 Davidson avenue, east side, 80 ft. north of West 184th street (Block 3199, Lots 53 and 57), Borough of The Bronx, N.B. 503-38

887-38-BZ.....H.B.B.....833-839 Fourth avenue, and 168-176 30th street, southeast corner (Block 6673, Lot 3), Borough of Brooklyn, Applic. 12949-38

888-38-BZ.....H.B.B.....467-473 Prospect avenue, north side, 151 ft. 4 in. west of Prospect Park West (Block 1113, Lot 62), Borough of Brooklyn, Alt. 13286-38

889-38-SA.....Autocall Gongs, Types R and RV, Single Stroke Bells, Appliance

890-38-BZ.....H.B.M.....145-149 East 41st street, north side, 100 ft. west of Third avenue (Block 1296, Lots 30, 31 and 32), Borough of Manhattan, Decision

891-38-S.....H.B.Bx.....1809-1817 Carter avenue, west side, 113.31 ft. north of Prospect place (Block 2892, Lot 59-63, incl.), Borough of The Bronx, Alt. 594-36

892-38-SM.....Dixon's Waterproof Primer No. 101 and Dixon's Waterproof Finish Coat No. 108, manufactured by Joseph Dixon Crucible Company, Material

893-38-A.....F.D.....143 West 30th street, north side 225 ft. east of Seventh avenue (Block 806, Lot 12), Borough of Manhattan, Decision

894-38-A.....H.B.B.....1531 53rd street, north side, 26 ft. east of 15th avenue (Block 5471, Lot 64), Borough of Brooklyn, Applic. 14769-3

895-38-A.....H.B.B.....745-753 Lincoln place, north side, 264 ft. 10 in. west of Nostrand avenue (Block 125, Lots 57-60, incl.), Borough of Brooklyn, Applic. 15410-3

896-38-A.....F.D.....447-453 West 53rd street, north side, 75 ft. east of Tenth avenue (Block 1063, Lots 5 and 7), Borough of Manhattan, F.P. 285-3

897-38-A..F.D. & H.B.M...73-79 Henry street, northwest corner of Forsyth street and 75-85 Broadway (Block 28, part of Lot 3), Borough of Manhattan, Alt. 4536-3

898-38-SA.....Brittin Bracket, Appliance

899-38-A.....H.B.R.....35 Midland road, east side (Block 3127, Lot 11), Great Kills, Borough of Richmond N.B. 76-3

CALENDAR

900-38-A-WF..H.B.Q.....33-41 Prince street and 134-03 35th avenue, northeast corner (Block 782, Lot 46), Flushing, Borough of Queens, N.B. 7492-38.

901-38-BZ.....H.B.M.....154 West 56th street, south side, 175 ft. east of Seventh avenue (Block 1008, Lot 57), Borough of Manhattan, Decision.

902-38-BZ.....H.B.M.....337-341 West 49th street, north side, 200 ft. east of Ninth avenue and 348-352 West 50th street (Block 1040, Lots 54, 55, 9, 10 and 11), Borough of Manhattan, Decision.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department and **F.D.**—Fire Department.

CERTIORARI ORDER SERVED ON BOARD OF STANDARDS AND APPEALS

On October 25, 1938, Philip Adelman, attorney, served on board petition and order of certiorari on behalf of 600 Eleventh Avenue, Inc., owner, in re interpretation of board of October 11, 1938, regarding parking space in unrestricted district with reference to school on same street, prohibited under section 21, Cal. No. 554-38-A, premises 594-606 11th avenue, east side, between West 44th and West 45th streets, Borough of Manhattan.

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules	Oct. 4, 1938—Vol. 23, No. 40
Certificate of Occupancy, approved form	Aug. 23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Sept. 13, 1938—Vol. 23, No. 37
Fire Alarm Rules (Interior)	Oct. 4, 1938—Vol. 23, No. 40
Fire Drill Rules	Aug. 9, 1938—Vol. 23, No. 32
Fire Retarding Rules for Garages, etc.	Oct. 25, 1938—Vol. 23, No. 43
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Aug. 23, 1938—Vol. 23, No. 34
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Oil Burner Rules	Aug. 30, 1938—Vol. 23, No. 35
Paint, Varnish and Lacquer Spraying Rules	Sept. 13, 1938—Vol. 23, No. 37
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract C.O.	Sept. 27, 1938—Vol. 23, No. 39
Smoking in Factories, Rules for	Oct. 25, 1938—Vol. 23, No. 43
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves	Oct. 25, 1938—Vol. 23, No. 43
Fuel Oil Burners for Domestic and Commercial Use	Aug. 30, 1938—Vol. 23, No. 35
Fuel Oil Fill Pipe Terminals	Aug. 23, 1938—Vol. 23, No. 34
Fuel Oil Burners for Industrial Use	Aug. 30, 1938—Vol. 23, No. 35
Fuel Oil Pumps	Aug. 30, 1938—Vol. 23, No. 35
Paint, Varnish and Lacquer Spraying Equipment	Sept. 13, 1938—Vol. 23, No. 37
Range Oil Burners and Space Heaters	Aug. 9, 1938—Vol. 23, No. 32

OCTOBER 25, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, October* 25, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 570-38-BZ—Application, July 5, 1938, under section 7a of the building zone resolution, of Robert Gottlieb, applicant, on behalf of Stanley K. Malouf, owner, to permit in a residence use district the erection and maintenance of a business building (stores and offices above); premises 791-793 St. Nicholas avenue, west side, 51 ft. south of West 150th street (Block No. 2064, Lot Nos. 33 and 34), Borough of Manhattan.

CAL. NO. 456-37-BZ—Application, September 23, 1937, under section 7h of the building zone resolution, of Wallace F. McLendon, applicant, on behalf of Fannie Gise, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 4866 Broadway, east side, 125 ft. south of West 204th street (Block No. 2234, Lot Nos. 14 and 15), Borough of Manhattan.

CAL. NO. 490-37-BZ—Application, October 14, 1937, under sections 7h and 21 of the building zone resolution, of Louis Werthheimer, applicant and lessee, on behalf of Estate of J. Romaine Brown, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 246 Nagle avenue, southwest corner of West 204th street (Block No. 2218, Lot No. 25), Borough of Manhattan.

CAL. NO. 554-37-BZ—Application, November 23, 1937, under section 7h of the building zone resolution, of Smith and Weber, applicants and lessees, on behalf of Board of Transportation, City of New York, owner, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 896-908 Eighth avenue, 260-266 West 54th street, southeast corner and 255 West 53rd street (Block No. 1025, Lot No. 3), Borough of Manhattan.

CAL. NO. 629-38-BZ—Application, July 15, 1938, under section 21 of the building zone resolution, of Francis Fargo, applicant and lessee, on behalf of Robert Goelet and Duke of Roxburghe, owners, to permit in a residence use district, for a temporary period of three (3) years, the use of a plot of ground as tennis and badminton courts; premises 178-180 East 78th

CALENDAR

street, south side, 100 ft. west of Third avenue and 173-175 East 77th street (Block No. 1412, part of Lot No. 33), Borough of Manhattan.

CAL. NO. 602-37-BZ—Application, December 20, 1937, under section 7h of the building zone resolution, of William Debus, applicant, on behalf of Katharine Hentschel, owner, to permit in a busness use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 25-33 Irving avenue and 343-347 Jefferson street, northeast corner (Block No. 3167, Lot Nos. 1 and 3), Borough of Brooklyn.

CAL. NO. 604-37-BZ—Application, December 20, 1937, under section 7h of the building zone resolution, of Marjorie Macormack, applicant, on behalf of Estate of A. S. Robbins, owner (William Macormack, lessee), to permit in a business use district the maintenance of a parking space for the parking and storage of more than five (5) motor vehicles; premises 266-282 Clarkson avenue, south side, 89 ft. 7½ in. west of Nostrand avenue (Block No. 5066, Lot Nos. 41 and 46), Borough of Brooklyn.

CAL. NO. 428-38-BZ—Application, May 31, 1938, under sections 7a and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Colonial Beacon Oil Co., Inc., owner, to permit the erection of an extension to an existing building on a plot located partly in an unrestricted use district and partly in a business use district occupied by an existing gasoline service station; premises 127-32 to 127-48 Northern boulevard, south side, 40.02 ft. east of 127th place (Block No. 1829, Lot No. 21), Corona, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 25, 1938, 2 P. M.

Appeals from Administrative Orders

832-38-A—South side of Eliot avenue, 626 ft., 644 ft. and 667 ft. west of 84th street (Block No. 2941, Lot No. 1), Elmhurst, Borough of Queens.

836-38-A—153-23 Locke avenue, north side, 205 ft. west of 155th street and 154-05 Locke avenue, north side, 171 ft. west of 155th street (Block No. 4723, part of Lot No. 1), Whitestone, Borough of Queens.

786-38-A—1062 (1058 displayed) 55th street, south side, 184 ft. 8 in. west of 11th avenue (Block No. 5681, Lot No. 26), Borough of Brooklyn.

878-38-A—West side of south wing of Concession Building, Pelham Bay Park, Orchard Beach, Borough of The Bronx.

897-38-A—73-79 Henry street, northwest corner of Forsyth street and 75-85 East Broadway (Block No. 282, part of Lot No. 3), Borough of Manhattan.

651-38-A—467 Third avenue, east side, 12½ ft. south of East 32nd street (Block No. 912, Lot No. 63), Borough of Manhattan.

907-38-A—Transportation of liquid asphalt in semi-trailer truck, not of approved type, in New York City.

894-38-A—1531 53rd street, north side, 260 ft. east of 15th avenue (Block No. 5471, Lot No. 64), Borough of Brooklyn.

915-38-A—14-60 Utopia parkway, west side, 80 ft. north of 14th road (Block No. 4615, Lot No. 13), Beechhurst, Borough of Queens.

919-38-A—2082 Crotona avenue, east side, 50 ft. south of East 180th street (Block No. 3095, Lot No. 24), Borough of The Bronx.

918-38-A—523 West 142nd street, north side, 204 ft. west of Hamilton place (Block No. 2074, Lot No. 16), Borough of Manhattan.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, October* 25, 1938, at 2 o'clock, in Room 1013, Municipal Building on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 624-26-BZ—Application of Apa Realty Corporation, applicant and owner, reopened September 27, 1938 for consideration as to extension of permit—re Application, granted on condition, under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station (erected under a temporary variation granted by the board for a temporary period); premises southwest corner of Kissena boulevard (road) and Horace Harding (Nassau) boulevard (Block No. 2167, Lot No. 35), Flushing, Borough of Queens.

CAL. NO. 666-38-BZ—Application, July 26, 1938, under sections 7g and 21 of the building zone resolution, of Benjamin Braunstein, applicant, on behalf of Sunnyside Building Corporation, The East New York Savings Bank and Estate of Andrew Wischerth (Charlotte Power and Veronica Wischerth, executrices), owners, to permit in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles to be operated in conjunction with a proposed multiple dwelling; premises 101-125 Sunnyside avenue north side, 210 ft. 1 in. east of Miller avenue (Block No. 3885, Lot Nos. 10, 12 and 41 and part of Lot No. 100), Borough of Brooklyn.

CAL. NO. 461-37-BZ—Application of Manhattan Parking Corporation, applicant and lessee, on behalf of New York Life Insurance Company, owner, reopened October 4, 1938, for consideration as to amendment of resolution adopted by the board on July 12, 1938—re application, previously granted on condition, under

CALENDAR

section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 247-261 Madison avenue, east side, from East 38th street to East 39th street (Block No. 868, Lot Nos. 22, 23, 24 and 25 and part of Lot Nos. 20, 54, 55 and 56), Borough of Manhattan.

CAL. NO. 731-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Fred B. McDuffee, Director, Bureau of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of an extension to an existing garage for the storage of more than five (5) motor vehicles; premises 535-543 East 120th street, northwest corner of East River drive (Block 1817, part of Lot No. 13), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

OCTOBER 28, 1938, 10 A. M.

RULES

835-38-SR—Proposed Rules relative to Submerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply.

Appeals from Administrative Orders

850-38-A—North side of Walling street, 100 ft. east of Northern boulevard (rear of lot); (southeast corner of Sybilla street and Viola place); (Block No. 3895, Lot No. 1), Forest Hills, Borough of Queens.

851-38-A—East side of Northern boulevard, 92 ft. north of Walling street (Block No. 3895, Lot No. 29), Forest Hills, Borough of Queens.

852-38-A—North side of Walling street, 100 ft. east of Northern boulevard (front of lot); (northwest side of Walling street and Wanda place); (Block No. 3895, Lot No. 1), Forest Hills, Borough of Queens.

853-38-A—Northwest corner of Walnut street and 71st (Continental) avenue (Block No. 2805, Lot No. 1), Forest Hills, Borough of Queens.

854-38-A—90-20 70th drive (Wanda place), east side, 353 ft. 5 in. south of Metropolitan avenue (east side of Wanda place, 350 ft. south of Metropolitan avenue); (Block No. 3896, Lot No. 56), Forest Hills, Borough of Queens.

855-38-A—North side of Walling street, 150 ft. east of Northern boulevard (north side of Walling street, 180 ft. east of westerly lot line); (Block No. 3895, Lot No. 34 and part of Lot No. 35), Forest Hills, Borough of Queens.

856-38-A—North side of Walling street, 200 ft. east of Northern boulevard (northwest corner of Walling street and Wanda place); (Block No. 3895, Lot No. 35), Forest Hills, Borough of Queens.

NOVEMBER 1, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November* 1, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 552-38-BZ—Application, June 28, 1938, under section 21 of the building zone resolution, of W. J. Cherry, applicant, on behalf of Antur Holding Corporation, owner, to permit partly in an unrestricted use district and partly in a residence use district and also "B" area district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also the omission of the required nue, west side, 152.59 ft. north of East 156th street (Block No. 2458, Lot No. 124), Borough of The Bronx.
rear yard; premises 777 Sheridan ave-

CAL. NO. 509-38-BZ—Application, June 20, 1938, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Tidewater Associated Oil Company, owner, to permit partly in a business use district and partly in a residence use district the demolition of an existing building and the erection of a new building to be used as an office and lubritorium in connection with an existing gasoline service station; premises 202-01 Rocky Hill road, northeast corner of 202nd street (Block No. 5561, Lot Nos. 10, 13 and 62), Bayside, Borough of Queens.

CAL. NO. 480-38-BZ—Application, June 10, 1938, under section 7h of the building zone resolution, of Joseph Lau, applicant, on behalf of Henry C. Schooff, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-43 Snyder avenue, north side, 150 ft. west of Bedford avenue (Block No. 5103, Lot No. 91), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 1, 1938, 2 P. M.

Appeals from Administrative Orders

766-38-A—402-412 Bleecker street and 291 West 11th street, northwest corner (Block No. 623, Lot Nos. 8-10), Borough of Manhattan.

841-38-A—50 Bond street, north side, 131.9 ft. west of Bowery (Block No. 530, Lot No. 43), Borough of Manhattan.

768-38-A—536-540 West 46th street, south side, 275 ft. east of 11th avenue (Block No. 1074, Lot No. 49), Borough of Manhattan.

807-38-A—529-533 Fifth avenue, northeast corner 14th street (Block No. 1035, Lot No. 1), Borough of Brooklyn.

868-38-A—1585 Pitkin avenue, north side, 53 ft. west of Amboy street (Block No. 3495, Lot No. 36), Borough of Brooklyn.

CALENDAR

NOVEMBER 9, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November* 9, 1938, at 10 o'clock, in Room 1013 Municipal Building on the following matters:

CAL. NO. 459-37-BZ—Application, September 27, 1937, under sections 7h and 21 of the building zone resolution, of MacMurray Holding Corporation, applicant and lessee, on behalf of The Mutual Life Insurance Company, owner, to permit partly in a business use district, partly in a retail use district and partly in a restricted retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 886 Seventh avenue and 201-209 West 56th street, northwest corner (Block No. 1028, Lot Nos. 25, 27, 29 and 29½), Borough of Manhattan.

CAL. NO. 583-38-BZ—Application, July 8, 1938, under section 7h of the building zone resolution of Harry Yahr, applicant, on behalf of The Mutual Life Insurance Company of New York, owner, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan.

CAL. NO. 595-37-BZ—Application, December 16, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of L. K. F. Realty Co., Inc., Sieko Realty Corporation and Eleanor Hedwig Arnold, owners (Nunley Parking Company, Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 170-15 to 170-21, 171-01 to 171-19, 172-01 to 172-25 and 173-05 to 173-13 Hillside avenue, north side, 56.51 ft. west of Kingston road (Block No. 923, Lot Nos. 1, 10, 14 and 17 and Block No. 896, Lot Nos. 42 and 48), Jamaica, Borough of Queens.

CAL. NO. 23-38-BZ—Application, January 15, 1938, under section 7h of the building zone resolution, of Margaret Scally, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 136-43 to 136-45 37th avenue, north side, 400 ft. east of Main street (Block No. 4977, Lot Nos. 90 and 91), Flushing, Borough of Queens.

CAL. NO. 44-38-BZ—Application, January 25, 1938, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Gertrude C. Vandewater, owner (Jamaica Parking and Realty Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-22 to 89-26 165th street, west side, 200.15 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 48), Jamaica, Borough of Queens.

CAL. NO. 66-38-BZ—Application, February 3, 1938, under section 7h of the building zone resolution, of William Shary, applicant, on behalf of Board of Transportation, City of New York, owner (Abraham Goldenbaum, lessee), to pemit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 340-354 Sixth avenue, east side, from West 4th street to Washington place, 151 West 4th street and 88-90 Washington place (Block No. 552, Lot No. 1), Borough of Manhattan.

CAL. NO. 362-38-BZ—Application, May 11, 1938 under sections 6a, 6b and 21 of the building zone resolution, of David Steckler, applicant, on behalf of Henry Felsenstein, owner, to permit in a residence use district the extension in area of a garage and gasoline service station; premises 2042-2044 Ocean avenue, west side, 470 ft. south of Avenue O (Block No. 6766, Lot No. 36 and part of Lot No. 38), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 9, 1938, 2 P. M.

Appeal from Administrative Order

900-38-A-WF—33-41 Prince street and 134-03 35th avenue, northeast corner (Block No. 782, Lot No. 46), Flushing, Borough of Queens.

NOVEMBER 15, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November* 15, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 708-38-BZ—Application, August 9, 1938, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Patrick Carroll, owner, to permit partly in a business use district and partly in an unrestricted use district the extension of a gasoline service station; premises 92-28 Horace Harding (Nassau) boulevard, southeast corner of Queens boulevard (Block No. 2075, Lot Nos. 5 and 6), Elmhurst, Borough of Queens.

CALENDAR

CAL. NO. 676-38-BZ—Application, July 29, 1938, under section 21 of the building zone resolution, of M. Allen Schlendorf, applicant, on behalf of Kroder-Reubel Co., owner, to permit in a business use district the erection and maintenance of a saw and planing mill; premises 75-81 Herbert street, north side, 50 ft. east of North Henry street (Block No. 2828, Lot No. 1), Borough of Brooklyn.

CAL. NO. 692-38-BZ—Application, August 4, 1938, under sections 7h and 21 of the building zone resolution, of Leopold Friedman, applicant, on behalf of Hawthorne Amusement Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 31-73 Bay 19th street, east side, 254 ft. south of 86th street (Block No. 6370, part of Lot No. 23), Borough of Brooklyn.

CAL. NO. 542-38-BZ—Application, June 24, 1938, under section 21 of the building zone resolution, of Patrick Quilty, applicant, on behalf of Department of Water Supply, Gas & Electricity, City of New York, owner, to permit in a business use district the erection and maintenance of an extension to an existing pumping station; extension to be used as a garage for more than five (5) motor vehicles; premises southwest corner of Fresh Meadow road and Underhill avenue (Block No. 5580, Lot No. 140), Flushing, Borough of Queens.

CAL. NO. 672-38-BZ—Application, July 27, 1938, under section 21 of the building zone resolution, of Clinton T. Roe, applicant, on behalf of Kate L. Wood and Martha Schenke, owners, to permit in a residence use district, the erection and maintenance of two (2) buildings, each having a store on the first story and dwelling above; plot is located in a proposed public park as shown on the zone map; premises 15-62 to 15-66 149th street, west side, 100 ft. south of 15th drive (Block No. 505, Lot No. 24), Whitestone, Borough of Queens.

CAL. NO. 480-25-BZ—Application of S. J. Kessler, applicant, on behalf of The 188 West 230th Street Corporation, owner, reopened May 17, 1938, under sections 7c and 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district, the inclusion of a motor vehicle repair shop in a garage (garage previously granted by the board); premises south side of West 230th street, 110.62 ft. east of Exterior street (Block No. 3264, Lot Nos. 104 and 106), Borough of The Bronx.

CAL. NO. 15-38-BZ—Application, January 10, 1938, under section 7h of the building zone resolution of John J. Gilmartin, applicant, on behalf of Third Avenue Railroad System, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2526-2530 Amsterdam avenue, southwest corner of West 186th street (Block No. 2156, Lot No. 48), Borough of Manhattan.

CAL. NO. 660-38-BZ—Application, July 22, 1938, under sections 7h and 21 of the building zone resolution, of Louis E. Ordwein, applicant, on behalf of The Bank for Savings, owner, to permit partly in a residence use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises located within 200 ft. of a hospital; premises 409-411 West 57th street, north side, 89 ft. 8½ in. west of Ninth avenue (Block No. 1067, Lot Nos. 28 and 28½), Borough of Manhattan.

CAL. NO. 538-37-BZ—Application, November 15, 1937, under section 7h of the building zone resolution, of Nicholas Yannaco, applicant, on behalf of W. H. Flattau & Son, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 501 West 185th street, northwest corner of Amsterdam avenue (Block No. 2156, Lot No. 56), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 15, 1938, 2 P. M.

Appeal from Administrative Order

306-38-A—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

Copies of the Official Directory of the City of New York for the year 1938 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 18, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, October 4, 1938 and the minutes of the regular meeting of the board held on Tuesday afternoon, October 4, 1938, were approved as printed in Bulletin No. 41, Vol. XXIII.

BUILDING ZONE CASES

608-37-BZ.

APPLICANT—Patrick J. Keating, lessee, for First Methodist Episcopal Church, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—142-17 Roosevelt avenue, north side, 150.83 ft. east of Union street (Block No. 5020, Lot No. 49), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: George B. Rise and Patrick J. Keating.

For Opposition: Nathan Levine.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(608-37-BZ)

WHEREAS, Patrick J. Keating, for First Methodist Episcopal Church, owner, filed December 21, 1937, an application under the building zone resolution to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 142-17 Roosevelt avenue, north side, 150.83 ft. east of Union street (Block No. 5020, Lot No. 49), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 18, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Roosevelt avenue is in a business use district; 38th avenue is in a residence and business use district; Union street is in a business use district and Bowne street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated November 22, 1937, reads:

"Be advised that application which you filed with this department for issuance of certificate of occupancy to cover use of premises known as 142-17 Roosevelt avenue, Flushing, shown on plot diagram to be situated on the North side of Roosevelt avenue, 150 ft. East of Union street (lot 187 ft. deep), Borough of Queens, for storage and parking space purposes for more than five cars, is hereby DENIED, as these premises are located in a district zoned 'Business and Residence,' and such use would be contrary to subdivision 15, section 4 and section 3, respectively, of the building zone resolution of the City of New York."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 192 ft. 2 in. The rear of the plot extends into the residence use district for a distance of 92 ft. 2 in.; the remainder of the plot is located in a business use district. It is proposed to use the unbuilt upon portion of the plot for a temporary period of two years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to hearing; and

WHEREAS, the board deemed this was a proper case to exercise its discretion under section 7, subdivision H, of the building zone resolution, and that hardship existed to warrant granting, under section 21, the use desired within the residential area of the plot.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7, subdivision H, of the building zone resolution, for a period of two (2) years from the date of this action, as to business portion, and under section 21 of the building zone resolution, for a similar term, as to the residential portion in the rear, to permit the lot under appeal to be used for the *parking and storage* of more than five (5) motor vehicles, *on condition* that only cars of the pleasure-car type shall be stored or parked; that all existing buildings shall be removed from the premises, except there may be a building not over one story in height, of frame construction, not over 150 sq. ft. in area, used solely as an office and shelter for attendant; that during the term of this variance, the lot shall be used for no other uses than herein permitted; that the lot shall be graded substantially to the level of Roosevelt avenue and shall be covered with steam cinders or clean gravel or other suitable material, properly rolled and bound to prevent dusting; that there shall be erected on the interior and street building lines, a substantial woven-wire fence not less than 6 ft. in height, except for one entrance to Roosevelt avenue not exceeding 20 ft. in width; that curb cut opposite shall not exceed 20 ft. in width; that the curb where now broken down shall be restored, except for the herein-permitted curb cut; that any lights erected for general illumination shall be so placed as to reflect toward the centre of lot, using metallic reflectors, and reflecting away from adjoining occupancies; that proper aisles shall be maintained at all times for easy access and egress; that such portable fire-fighting appliances shall be provided as the Fire Commissioner shall direct; and that all permits shall be obtained and all work shall be completed within three months from the date of this action.

416-38-BZ.

APPLICANT—Emanuel H. Jerabek, for Josephine Pokorny, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a business use district, the extension and conversion of occupancy of an existing building, to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop.

PREMISES AFFECTED—162-42 to 162-44 Pidgeon Meadow road (Fresh Meadow road), west side 235.23 ft. north of Laburnum avenue (Block No. 5461, Lot Nos. 44, 46, 47 and 49), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Emanuel H. Jerabek.

For Opposition: None.

ACTION OF BOARD—Application granted on condition

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(416-38-BZ)

WHEREAS, Emanuel H. Jerabek, for Josephine Pokorny, owner, filed May 27, 1938, an application under the building zone resolution, to permit, in a business use district, the extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop; premises: 162-42 to 162-44 Pidgeon Meadow road (Fresh Meadow road), west side, 235.23 ft. north of Laburnum avenue (Block No. 5461, Lot Nos. 44, 46, 47 and 49), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 18, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Fresh Meadow road is in a business and residence use; Laburnum avenue is in a residence and business use district; 162nd street is in a residence use district; and 46th avenue is in a business and residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated August 29, 1938, re Alt. App. No. 2897-38, reads:

"The extension in a business district of a public garage and repair shop is prohibited by Sec. 4 of the Zone Law."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 125 ft. on Fresh Meadow road and a distance of 100 ft. along the south lot line. The front portion of the plot is used as a gasoline service station. Upon the central portion of the plot there is located a one-story concrete block garage for five motor vehicles, 20 ft. by 50 ft. 9 in. in area. It is proposed to extend this building by a one- and two-story addition, so that the building, as extended, will be 46 ft. by 60 ft. in area, and to use this building as a garage for more than five motor vehicles and motor vehicle repair shop. The gasoline service station to remain; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, to permit the existing gasoline station and automobile repair shop to be reconstructed and rearranged substantially as indicated on revised plans marked "Received October 18, 1938," *on condition* that all structures now existing on the premises shall be entirely removed; that the plot now used as a gasoline station, shall not be further extended; that only one new structure shall be constructed, one and two stories in height, to be occupied on the ground floor for repair shop and garage for more than five (5) motor vehicles, and on the 2nd story as living quarters for the owner; that this building shall be constructed with brick walls and shall be of fireproof construction throughout, except that the roof beams over the rear portion of the one-story garage and the roof of the two-story portion may have wood beams and wood boarding, provided the roof surfacing is of non-flammable material and the ceiling of the garage throughout shall be either fireproof construction or fire-retarded in accordance with the Rules of the Board of Standards and Appeals; that any skylights in the rear portion shall be glazed with plain glass with screens over and under; that window frames and sash, door frames and doors may be of wood; that the entire plot shall be graded substantially to the grade of Fresh Meadow road, and where not occupied by walls and accessory buildings, such portion shall be cement paved; that on the interior lot lines there shall be erected a substantial woven-wire fence of the anchor post type, not over 6 ft. in height, except where rear walls of accessory building occur; that gasoline pumps shall be erected not nearer than 10 ft. to the new street line of Fresh Meadow road; that curb cut entrances shall not exceed those now existing, which consist of two, one 45 ft. in width and one 25 ft. in width, as covered by existing permits; that all signs shall be restricted to permanent signs attached to accessory building and to the globes of the gasoline pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line of one post standard for supporting a sign, which may be illuminated and advertising only the brand of gasoline sold, provided no sign extends beyond the building line for a distance of more than 4 ft.; that there shall be no parking or storage of cars on the property other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; and that all permits shall be obtained and all work shall be completed within one year from the date of this action.

582-38-BZ.

APPLICANT—Charles H. Pfaff, for Justine Schwab, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station.

PREMISES AFFECTED—222-45 to 222-47 Braddock avenue (Rocky Hill road), northwest corner of Sabre street (Block No. 7967, Lot Nos. 39 and 41), Queens Village, Borough of Queens.

APPEARANCES—

For Applicant: Charles H. Pfaff and Justine Schwab.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(582-38-BZ)

WHEREAS, Charles H. Pfaff, for Justine Schwab, owner, filed July 8, 1938, an application under the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station; premises: 222-45 to 222-47 Braddock avenue (Rocky Hill road), northwest corner Sabre street (Block No. 7967, part of Lot Nos. 39 and 41), Queens Village, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 18, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Braddock avenue is in a business use district; Sabre street is in a business use district; Winchester boulevard is in a business use district and 91st avenue is in a business and residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated July 6, 1938, re App. No. N.B. 2797-38, reads:

"The erection of new buildings and the extension of

a gasoline service station in a business district is contrary to Art. 2, Sec. 4 of Zone Law. Not further considered."

and

WHEREAS, the premises (part of a larger plot, of which a portion was taken for widening Braddock avenue) consist of a plot of ground having a frontage of 80 ft. on Braddock avenue and 49.6 ft. on Sabre street. It is proposed to relocate, as shown on filed plans, the tanks and pumps of the existing gasoline station located on the old line of Braddock avenue; to demolish the existing 5-car cement block garage and to erect a one-story building, 35 ft. by 20 ft. in area, to be used for auto laundry and lubritorium. The existing two-story frame dwelling to remain; and

WHEREAS, the Board deemed that the provisions of section 7-c, empowered the Board to exercise its discretion and grant this application under such conditions that would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7-C, to permit the premises under appeal to be used and occupied as an extension to existing gasoline station and also to permit the existing garage to be removed, *on condition* that the plot shall be levelled substantially to the grade of Braddock avenue and where not occupied by existing frame dwelling and accessory building, same shall be cement paved; that the southerly wall of the frame dwelling shall be constructed of fireproof masonry materials without openings and stuccoed to a height of not less than 10 ft.; that any pumps installed shall not be nearer than 10 ft. to the street line of Braddock avenue; that the proposed accessory buildings shall be arranged for greasing, washing and office; that any heater-room installed shall be separated from the other portions of the building by fireproof construction and enterable only from exterior; that this accessory building shall be constructed of fireproof materials throughout, except the window frames and sash, door frames and doors, roof beams and boarding may be of wood, provided the ceilings are fire-retarded in accordance with the Rules of the Board of Standards and Appeals; that on the westerly interior lot line there shall be constructed a masonry wall not less than 6 ft. in height, except such wall may be 4 ft. in height for a distance not over 20 ft. northerly from the new line of Braddock avenue; that any permit necessary shall be obtained from the City prior to the destruction of the present garage; that curb cuts shall be limited to one curb cut from Sabre street, not more than 15 ft. in width, and two (2) curb cuts from Braddock avenue, not exceeding 15 ft. each; that no further uses shall be conducted on these premises, other than existing uses as herein permitted; that there shall be no parking or storage of automobiles other than those being serviced; that no portable tanks shall be used on or from the premises; that all signs shall be restricted to permanent signs attached to accessory building and the illuminated globes of the gasoline pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line, near the corner of Braddock avenue and Sabre street, of a post standard for a sign, which may be illuminated, advertising only the brand of gasoline sold and permitting such sign to extend beyond the building line for a distance of not more than 4 ft.; that plans shall be submitted to the board and approved by the chairman in behalf of board, before same are filed with the borough superintendent; that such plans shall be filed within six months and after approval of same by chairman, all permits shall be obtained and all work shall be completed within one year thereafter.

657-38-BZ.

APPLICANT—B. Robert Swartburg, for Airport Land Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of forty-five (45) individual garages.

PREMISES AFFECTED—21-45 76th street, east side, 102 ft. north of Ditmars boulevard (Block No. 972, Lot No. 12), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: B. Robert Swartburg and Sidney Morris.

For Opposition: E. J. Parbel.

For Administration: Charles Tilgner, Department of Education.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(657-38-BZ)

WHEREAS, B. Robert Swartburg, for Airport Land Corporation, owner, filed July 21, 1938, an application under the building zone resolution, to permit in a residence use district, the erection and maintenance of forty-five (45) individual garages; premises: 21-45 76th street, east side, 102 ft. north of Ditmars boulevard (Block No. 972, part of Lot No. 12), Astoria, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 18, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 76th street is in a residence, business and unrestricted use district; 77th street is in a residence, business and unrestricted use district; Ditmars boulevard is in a residence use district and 21st avenue is in a residence, business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated June 21, 1938, re NB Application No. 805-38, reads:

"The erection of a garage for more than 3 cars in a residence district is contrary to the zone law (Art. II, Sec. 3 BZR) not further considered."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 82.6 ft. on 76th street, a distance of 292 ft. along the east lot line and a distance of 100 ft. along the south lot line. It is proposed to erect upon the plot 45 individual garages; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to hearing; and

WHEREAS, the board deemed, that in view of the existence of the public school in the same portion of the street between the intersecting streets as these proposed individual garages, and that in view of the decisions of the courts on a similar issue under section 21, the board is precluded from making any favorable decision on this application.

Resolved, that the decision of the borough superintendent, re N.B. App. No. 805-38 be and it hereby is *affirmed,* and that the application be and it hereby is *denied.*

678-38-BZ.

APPLICANT—Albert Goldhammer, for Transboro Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use, "B" area district, the construction of a building (multiple dwelling) having a rear yard starting

at a higher level than permitted by the building zone resolution.

PREMISES AFFECTED—1555 Sheridan avenue, west side, 236.72 ft. south of Mt. Eden avenue (Block No. 2821, Lot Nos. 61-63 and 64), Borough of The Bronx.

APPEARANCES—

For Applicant: Albert Goldhammer.

For Opposition: H. Buni, Benjamin Werthen and Peter S. Kurtz.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(678-38-BZ)

WHEREAS, Albert Goldhammer, for Transboro Realty Corporation, owner, filed July 27, 1938, an application under the building zone resolution, to permit in a residence use, "B" area district, the construction of a building (multiple dwelling) having a rear yard starting at a higher level than permitted by the building zone resolution; Premises: 1555 Sheridan avenue, west side, 236.72 ft. south of Mount Eden avenue (Block No. 2821, Lot Nos. 61, 63 and 64), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 18, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the building zone resolution show that Sheridan avenue is in a residence use and "B" area district; Grand Concourse is in a residence use and "B" area district; Selwyn avenue is in a residence and business use and "B" area district and Mt. Eden avenue is in a residence use and "B" area district; and

WHEREAS, the decision of the borough superintendent of buildings, dated July 12, 1938, re N.B. App. No. 313-38, reads:

"3. Yard should not extend above theoretical curb level at center of facade. Article 4, Sec. 17 (b) building zone resolution.

Note—Building located in a residence district."

and

WHEREAS, the proposed building is to be of non-fireproof construction, six (6) stories in height, with a frontage of 100 ft. and a depth of approximately 71 ft., to be occupied as a multiple dwelling, and it is proposed to place the rear yard at an elevation 11 ft. above curb line, due to street line conditions; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to hearing; and

WHEREAS, the board deemed that the applicant was entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship and found that the granting of the application would in no way injure the adjoining properties.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the area district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 21 thereof, to permit the construction of the rear yard substantially as indicated on plans filed with this application, *on condition* that the rear yard shall be at least one foot below the lowest floor level of the rear portion of the building and that the lowest floor construction of the rear portion of the building shall be of fireproof construction; and that in all other respects, all requirements of laws, rules and regulations applicable to this building shall be complied with.

685-38-BZ.

APPLICANT—Lama and Proskauer, for Gulf Oil Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the reconstruction and extension of an existing gasoline service station.

PREMISES AFFECTED—112-02 to 112-12 Northern boulevard, southeast corner of 112th street (Block No. 1727, Lot Nos. 1 and 5), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama and A. C. Brockman.

For Opposition: Nathan Rengel.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(685-38-BZ)

WHEREAS, Lama and Proskauer, for Gulf Oil Corporation, owner, filed August 3, 1938, an application under the building zone resolution, to permit partly in a business use district and partly in a residence use district, the reconstruction and extension of an existing gasoline service station; premises: 112-02 to 112-12 Northern boulevard, southeast corner of 112th street (Block No. 1727, Lot Nos. 1 and 5), Corona, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 18, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern boulevard is in a business use district; 112th street is in a business and residence use district; 112th place is in a business and residence use district and 34th avenue is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated July 25, 1938, re NB App. No. 5253, reads:

"The erection of a gasoline station in a business district and residence district is contrary to Sec. 3 and 4 of the Zone Law."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 102.2 ft. on Northern boulevard, 107.5 ft. on 112th street and a distance of 100 ft. along the south lot line. A small, irregularly shaped area, having a frontage of approximately 7 ft. along 112th street, at the southwest corner of this plot, is in a residence use district, the remainder of the plot is in a business use district. According to Fire Department records on September 13, 1923, a gasoline service station was established on part of the premises in question; location of said station being: Beginning at the southeast corner of Northern boulevard and 54th street (now 112th street) running south 100 ft.; thence east 60 ft; thence north 100 ft.; thence west 60 ft. to the point or place of beginning. A permit for this station is now in effect. It is proposed to extend the area of this station so as to cover the entire plot; to demolish the existing buildings and to erect thereon a new building 47 ft. 8 in. by 27 ft. in area, as shown on plans filed in this application; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board; prior to hearing; and

WHEREAS, the existing gasoline station is there by right, having been established prior to 1925, the date of prohibition of gasoline stations in business districts; and

WHEREAS, the board deemed that the provisions of section 7, subdivision C, under which this application was made, empowered the board to exercise its discretion and to grant this application under such conditions that would safeguard the character of the more restricted district; further, the board deemed that applicant was entitled to relief under section 21 on the grounds of unnecessary hardship as to reconstruction.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under sections 7-C and 21, to permit the premises under appeal to be extended for the use and occupancy of an existing gasoline service station and to permit the reconstruction of the accessory building substantially as indicated on plans filed with this appeal, *on condition* that the accessory building shall be constructed of fireproof materials, except that the window frames and sash, door frames and doors, roof beams and boarding may be of wood, provided the ceilings throughout are fire-retarded in accordance with the Rules of the Board of Standards and Appeals; that the roofs shall be surfaced with non-flammable material; that the heater compartment shall be separated from the balance of the building with fireproof construction and enterable only from the exterior; that the greasing equipment shall be of the hydraulic-lift type; that the entire plot shall be levelled substantially to the grade of Northern boulevard and shall be paved throughout with concrete paving, except where occupied by accessory building, pumps and planting; that there shall be erected along the interior lot line to the east continuously from Northern boulevard to the rear lot line, a masonry wall not less than 6 ft. in height, agreeing in design with the materials of the accessory building; that this wall, however, may be not over 4 ft. in height for a distance of 15 ft. southerly from the street line of Northern boulevard; that along the southerly lot line there shall be constructed a substantial wall or fence not less than 6 ft. in height, unless the plot is graded for its full depth to the grade of Northern boulevard, in which case a similar wall shall be constructed as hereinbefore required; that planting shall be maintained along the easterly and southerly lot lines and the space to the south and east of accessory building shall also be planted, except for necessary driveways, to permit exit from the servicing section; that where such planting is maintained, a protecting curb shall be installed; that the entrances to the premises shall be restricted to two (2) from 112th street, not over 35 ft. in width each, and to two (2) of similar widths to Northern boulevard; that the sidewalks surrounding the property, shall be constructed of concrete and curbing shall be installed; that within the building line at the intersection of Northern boulevard and 112th street, there shall be constructed a triangle block of concrete, not less than 12 inches in height and extending for a distance not over 5 ft. along either street building line; that all pumps shall not be nearer than 15 ft. to any building line; that the pumps shall be of the parkway design; and that the premises shall be used for no other use except as herein permitted; that there shall be no parking or storage of automobiles except those being serviced; that signs shall be restricted to permanent signs attached to accessory building and to the illuminated globes of the pumps, excluding all roof signs, except that the tower may be illuminated, but which shall not be for other occupancy, and permitting the erection of a post standard near the building line near the intersection of 112th street for supporting two signs, which may be illuminated, advertising only the brand of gasoline on sale, provided such signs do not extend beyond the building line for a distance of more than four feet; that no portion of any curb cut shall be nearer any interior lot line as extended than 3 ft.; that no portable gasoline tanks shall be used on or from the premises; that any lights for general illumination shall be equipped with metallic reflectors and so arranged as to reflect towards the center of premises and away from adjoining occupancies; that before plans are filed with the borough superintendent, a complete working drawing shall be submitted to the board and approved by the chairman in behalf of the board; that such plans shall be submitted within two months; and that all permits shall be obtained and all work shall be completed within one year after such approval.

694-38-BZ.

APPLICANT—Lama & Proskauer, for Gulf Oil Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—85-06 Queens boulevard and 86-71 Grand avenue, southwest corner (Block No. 2477, Lot No. 16), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(694-38-BZ)

WHEREAS, Lama and Proskauer, for Gulf Oil Corporation, owner, filed August 4, 1938, an application under the building zone resolution, to permit in a business use district, the extension of an existing gasoline service station; Premises: 85-06 Queens boulevard and 86-71 Grand avenue, southwest corner (Block No. 2477, Lot No. 16), Elmhurst, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 18, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Queens boulevard is in a business use district; Grand avenue is in a business use district; Broadway is in a business use district and Van Loon street is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated July 22, 1938, re NB Applic. No. 5252-38, reads:

"The erection of a gasoline station in a business district is prohibited by the zone law art. 2, sect. 4."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 134 ft. on Queens boulevard, approximately 107 ft. on Grand avenue, and a distance of 100 ft. along the westerly lot line. It is proposed to demolish the accessory building now located upon the existing (legal) gasoline service station and to erect thereon a one story building 54 ft. by 26 ft., irregular in area—to be used as lubritorium, car washing and office; and

WHEREAS, the plot and surrounding area were inspected by a Committee of the Board, prior to hearing; and

WHEREAS, the board deemed that applicant was entitled to relief under Section 21 of the building zone resolution, on the grounds of unnecessary hardship as to reconstruction.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under Section

21, to permit the reconstruction and re-arrangement of the existing gasoline station substantially as indicated on plans filed with this appeal, *on condition* that the plot and building shall not be further extended; that there shall be erected in line with the rear wall of accessory building of the lot line, a substantial wall to the building lines of Grand avenue and Queens boulevard; that such wall shall be not less than 6 ft. in height and in harmony with existing accessory building; that planting, as indicated, shall be maintained at all times; that the entire plot, when not occupied by accessory buildings, walls and pumps, shall be paved with concrete; that the curb cuts to premises shall not exceed those shown, namely, two (2), 30 ft. in width each, to Grand avenue, and two (2) not over 35 ft. in width each to Queens boulevard; that there shall be erected along the building line, at the intersection of Queens boulevard and Grand avenue, a triangle block of concrete, not less than one foot in height, and extending 5 ft. along each street line; that no pumps shall be erected nearer than 12 ft. to any building line; that the accessory building shall be constructed of fireproof materials, not exceeding one story in height, with tower, said tower portion not be used for any occupancy, except that the window frames and sash, door frames and doors, roof beams and boarding may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals, and the roof surfaced with non-flammable material; that the room for heating shall be separated from balance of the building with fireproof material and enterable only from the exterior; that the window shown on rear lot line, shall be of fireproof fixed sash, glazed with wire glass and shall remain unopenable at all times; that the greasing equipment shall be of the hydraulic lift type; that there shall be no parking or storage of cars on the premises other than those being serviced; that the pumps shall be of the parkway design; that no portable gasoline pumps shall be used on or from the premises; that signs shall be limited to fixed signs attached to accessory buildings and to illuminated globes of the pumps, excluding all roof signs and temporary signs, except there may be erected on the building line at the intersection of Queens boulevard and Grand avenue, a standard for supporting a sign, which may be illuminated, advertising only the brand of gasoline on sale, permitting the erection of two such signs on such standard, provided no sign extends beyond the building line for a distance of more than 4 ft.; that any existing curb cut not included in curb cuts herein permitted, shall be restored; that any lights for illumination shall be so arranged as to reflect inwardly towards the centre of premises; and that all permits shall be obtained and all work shall be completed within one year from the date of this action.

711-38-BZ.

APPLICANT—George M. Glassgold, for Midtown Construction Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7-C and 21 of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—16-18 Tieman place, south side, 200 ft. east of Broadway (Block No. 1981, Lot No. 58), Borough of Manhattan.

APPEARANCES—

For Applicant: George M. Glassgold and Ab L. Wilson.

For Opposition: None.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(711-38-BZ)

WHEREAS, George M. Glassgold, for Midtown Construction Corporation, owner, filed August 10, 1938, an application under the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, the erection and maintenance of a garage for more than five (5) motor vehicles; premises: 16-18 Tiemann place, south side, 200 ft. east of Broadway (Block No. 1981, Lot No. 58), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 18, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Tieman place is in a business and unrestricted use district; West 125th street is in an unrestricted use district; Broadway is in a business and unrestricted use district and Moylan place is in a business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated August 3, 1938, re N.B. Application No. 105-38, reads:

> "15. Premises are partly in a business district. Use as a garage for more than five motor vehicles is prohibited in a business district. Sec. 4-a Zone Resolution."

and

WHEREAS, the proposed building is to be of non-fireproof construction, one story in height, with a frontage of 50 ft. and a depth of 99 ft. 11 in., to be occupied as a garage for more than five (5) motor vehicles. A triangular shaped area at the Tiemann place frontage is located in the unrestricted use district, the remainder of plot is in the business use district; and

WHEREAS, the plot and surrounding area were inspected by a Committee of the Board, prior to hearing; and

WHEREAS, the Board deemed that the provisions of section 7, subdivision C, of the Building Zone Resolution, under which this application was made, empowered the Board to exercise its discretion and to grant this application under such conditions that would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted* under section 7-C, to permit the portion of the premises within the business use area to be used and occupied as public garage for more than five (5) motor vehicles in conjunction with the portion within the unrestricted area, *on condition* that the building shall not exceed the height of one story and cellar, as indicated on plans filed with this appeal, and that the lot line windows opening on adjoining premises shall be fireproof, self-closing and glazed with wire glass; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto; and that all permits shall be obtained and all work completed within three months from the date of this action.

730-38-BZ.

APPLICANT—Groehl and Monness, for Shakbro Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—Northeast corner of West 187th street and Amsterdam avenue (Block No. 2149, part of Lot No. 108), Borough of Manhattan.

APPEARANCES—

For Applicant: Frederick J. Groehl, Ira H. Monness and Henrietta Taylor.

For Opposition: Emanuel Goldberg, Mendel Zucher, Murray Taigman, Marie Urie, Bessie Rindsberg, Louis Stern and Wm. S. Read.

For Administration: Charles Tilgner, for Board of Education; Fred Dahlem, Department of Housing and Buildings, and Arthur S. Hodgkiss for Park Department.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(730-38-BZ)

WHEREAS, Groehl and Monness, for Shakbro Realty Corporation, owner, filed August 22, 1938, an application under the building zone resolution, to permit partly in a residence use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles; Premises: Northeast corner of West 187th street and Amsterdam avenue (Block No. 2149, part of Lot No. 108), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 18, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Amsterdam avenue is in a business and residence use district; West 187th street is in a business and residence use district; Laurel Hill terrace is in a residence use district and West 188th street is in a residence and business use district, and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated July 29, 1938, reads:

"Your application for a certificate of occupancy for the use of the above premises as a parking and storage space for more than 5 motor vehicles has been denied for the reason that the premises are located partly in a residence district and partly in a business district where this occupancy is prohibited by Sections 4 and 3 of the Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 174 ft. 8 in. on Amsterdam avenue and 245 ft. 8 in. on West 187th street. The westerly portion of the plot (for a depth of 100 ft.) is located in a business use district and the remainder of the plot is in a residence use district. It is proposed to occupy the plot for a temporary period of not more than two (2) years for parking and storage of more than 5 motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to hearing; and

WHEREAS, the board deemed that there was no basis for the use of its discretion under the provisions of Section 7 subdivision H of the building zone resolution and that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution.

RESOLVED, that the decision of the borough superintendent of buildings, dated July 29, 1938, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

Adjourned, 1:20 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 18, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

461-37-BZ.

APPLICANT—Manhattan Parking Corporation (lessee), for New York Life Insurance Company, owner.

SUBJECT—Application reopened October 4, 1938 for consideration as to amendment of resolution adopted by the board on July 12, 1938—re application (decision of the borough superintendent of buildings) previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—247-261 Madison avenue, east side, from East 38th street to East 39th street (Block No. 868, Lot Nos. 22, 23, 24 and 25 and part of Lot Nos. 20, 54, 55 and 56), Borough of Manhattan.

APPEARANCES—

For Applicant: George D. Carrington, W. W. Smith, M. Herskman, J. A. Boehme, L. J. Reichner, and Wm. G. Clarence.

For Opposition: John P. Fox.

ACTION OF BOARD—Laid over to October 25, 1938, at 2 P.M., for decision by board. No further argument.

583-38-BZ.

APPLICANT—Harry Yahr, for The Mutual Life Insurance Company of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit partly in a retail use district and partly in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1738-1748 Broadway and 21 West 56th street, southeast corner (Block No. 102 Lot No. 23), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Yahr.

For Opposition: None.

ACTION OF BOARD—Laid over to November 9, 1938, at 10 A. M. for further consideration by the board.

731-38-BZ.

APPLICANT—Fred B. McDuffee, Director, Bureau of Architecture, Department of Public Works, for City of New York, owner.

MINUTES

SUBJECT—Application (re decision of the borough of superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of an extension to an existing garage for the storage of more than five (5) motor vehicles.
PREMISES AFFECTED—535-543 East 120th street, northwest corner of East River drive (Block No. 1817, part of Lot No. 13), Borough of Manhattan.
APPEARANCES—
For Applicant: A. M. Morris.
For Opposition: Nicholas De Pasquale.
ACTION OF BOARD—Laid over to October 25, 1938, at 2 P. M., on request of applicant's representative.

398-38-BZ.
APPLICANT—Hyman W. Gamso, for Beatrice Gamso, owner.
SUBJECT—Application for consideration—reopening and amendment—re application (decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, permitting in a residence use and "E" area district, the erection of an extension to an existing dwelling, not conforming with the ten (10) foot setback required by the building zone resolution.
PREMISES AFFECTED—827 East 21st street, east side, 100 ft. north of Glenwood road (Block No. 5242, Lot No. 11), Borough of Brooklyn.
APPEARANCES—
For Applicant: Hyman W. Gamso.
ACTION OF BOARD—Request to reopen, withdrawn.
THE VOTE TO WITHDRAW REQUEST FOR REOPENING—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

99-33-BZ.
APPLICANT—Seelig and Finkelstein, for New York Rapid Transit Corporation, owner.
SUBJECT—Application reopened September 20, 1938 for consideration as to extension of permit—permit having expired by limitation—re application (decision of the superintendent of buildings) previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the use and occupancy of a vacant plot of ground as an open air parking space for more than five (5) motor vehicles for a temporary period.
PREMISES AFFECTED—3068-3074 Ocean parkway, west side, 283 ft. 7 in. north of Sea Breeze avenue (Block No. 7282, part of Lot Nos. 57 and 60), Borough of Brooklyn.
APPEARANCES—
For Applicant: Harry Finkelstein and Charles J. Larkin.
For Opposition: None.
ACTION OF BOARD—Resolution amended.
THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(99-33-BZ)

WHEREAS, this application, affecting premises 3068-3074 Ocean parkway, west side, 283 ft. 7 in. north of Sea Breeze avenue (Block No. 7282, part of Lot No. 57 and part of Lot No. 60), Borough of Brooklyn, was granted by the Board July 11, 1933, on certain conditions, resolution amended June 11, 1935, and applicant requested a reopening of the case and a further amendment of the resolution; and

WHEREAS, the application was reopened by vote of the board September 20, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting October 18, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the board on July 11, 1933, as amended June 11, 1935, only so far as it has reference to term of permit, so that as amended that portion of the resolution shall read:

"for a period terminating with the expiration date of renewal lease, namely, September 14, 1943; and that in all other respects the resolution adopted by the Board on July 11, 1933, shall be complied with."

537-37-BZ.
APPLICANT—Isidore Beerman, for Schulte Realty Company, owner.
SUBJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.
PREMISES AFFECTED—72-01 to 72-17 Roosevelt avenue, north side, 100 ft. west of 73rd street and 7216-7230 Broadway (Block No. 1283, Lot Nos. 72, 80, 90, 93, 97, 99 and part of 84), Jackson Heights, Borough of Queens.
APPEARANCES—
For Applicant: Isidore Beerman.
For Opposition: Fletcher Martin.
ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(537-37-BZ)

WHEREAS, Isidore Beerman, for Shulte Realty Company, owner, filed November 15, 1937, an application under the building zone resolution to permit in a business use district, for a temporary period of two (2) years, the parking and storage of more than five (5) motor vehicles; Premises: 72-01 to 72-17 Roosevelt avenue, northside, 100 ft. west of 73rd street, and 7216-7230 Broadway (Block No. 1283, Lot Nos. 72, 80, 90, 93, 97, 99 and part of Lot No. 84), Jackson Heights, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 18, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Roosevelt Avenue is in a business use district; Broadway is in a business use district; 72nd street is in a business use district and 73rd street is in a residence and business use district; and

WHEREAS, the decision of the borough Superintendent of buildings, dated August 11, 1938, re P.A. Viol. 103-35, reads:

"Be advised that application made to this Department by your client, Oliver D. Wallett of 107-17 124th street,

Richmond Hill, L. I., N. Y., for a certificate of occupancy for parking and storage of more than five (5) motor vehicles on premises 72-01 to 72-17 Roosevelt avenue, north side 100 ft. west of 73rd street, and 72-16 to 72-30 Broadway, Jackson Heights, L. I., N. Y., is hereby DENIED as such use would be contrary to Art. 2, Sect. 4, Subdv. 15, of the building zone resolution."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 199.6 ft. on Roosevelt avenue and 238.92 ft. on Broadway, it is proposed to use the plot, for a temporary period of not more than two years, for parking and storage of more than five motor vehicles; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 7-H thereof, to permit the premises under appeal to be used for the parking and storage of more than five (5) motor vehicles for a period of two years from the date of this action, *on condition* that only motor vehicles of the pleasure-car type shall be so stored or parked; that the premises shall be graded substantially to the grade of Roosevelt Avenue; that there shall be erected on the interior lot lines and street building lines continuously, a substantial woven wire fence not less than six (6) ft. in height; that there shall be not over two openings to the plot on Roosevelt avenue, each not exceeding twenty (20) ft. in width and one entrance on Broadway of similar width; that during the term of this variance, the plot shall be used for no other purpose and all other existing buildings and existing uses shall be removed therefrom, excepting there may be erected a building not over one story in height, which may be of frame construction and not over 150 square ft. in area, used as an office and shelter for the attendant; that the premises shall be surfaced with steam cinders or clean gravel or other suitable material properly rolled and treated with a binder to prevent dusting; that such lights as may be erected for general illumination shall be on post standards with metallic reflectors so arranged as to reflect toward the center of the premises; that no advertising signs shall be erected, except that there may be a sign not over 15 sq. ft. in area, attached to the fence at each entrance, advertising only the parking and storage use and the rates charged; that at all times there shall be maintained adequate passageways for easy entrance and exit; that such portable fire-fighting appliances shall be installed as the Fire Commissioner may direct; that all permits required shall be obtained and all work involved completed within three months from the date of this action.

332-38-BZ.

APPLICANT—Lama and Proskauer, for John F. Trommer, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit, in a business use district, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1605-1615 Bushwick avenue, northeast corner of Stewart street (Block No. 3475, Lot No. 50), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

For Opposition: None.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative: Commissioner Savage and Assistant Chief Walsh 2

Negative: Chairman Murdock, Commissioner Blum 2

Absent 0

THE RESOLUTION—

(332-38-BZ)

WHEREAS, Lama and Proskauer, for John F. Trommer, owner, filed May 3, 1938 an application under the building one resolution, to permit in a business use district, the erection and maintenance of a gasoline service station; premises: 1605-1615 Bushwick avenue, northeast corner of Stewart street (Block No. 3475, Lot No. 50), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 18, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bushwick avenue is in a business and residence use district; Stewart street is in a business use district; Vandeveer street is in a business use district and Conway street is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated April 26, 1938, re App. No. 5196-38, reads:

"1. The proposed construction of a gasoline service station in a business use district is contrary to the building zone resolution, section 4 (46),"

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 100 ft. on Bushwick avenue and 141 ft. on Stewart street. It is proposed to remove the two frame structures now on the plot and to erect thereon a one-story building 53 ft. by 25 ft. in area, to be used as office, auto laundry and lubritorium, and, also, to install the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the site and surrounding area were inspected by a committee of the Board, report of which inspection was read at this hearing and which report, recommending the denial of the application, reads as follows:

REPORT OF COMMITTEE

October 17, 1938.

Cal. No. 332-38-BZ

1605-1615 Bushwick avenue, northeast corner Stewart street, Brooklyn.

A variance of the zoning resolution under section 21 is applied for, to permit the plot to be used as a gasoline station and service spaces. The plot fronts on Bushwick avenue for 100.5 ft. and along Stewart street 141.3 ft. and abuts the Evergreens Cemetery. The plot is triangular in shape of about 7,000 sq. ft. area. At present a two-family frame dwelling occupies the plot and the side yard has been used for a salesroom for used cars. It is claimed that the present use is not profitable and that a gasoline station would improve the conditions. Undoubtedly, a gasoline station would be more profitable.

The committee cannot find, however, that the plot cannot be used in conformity with the business use zone requirements. Directly across the street is the restaurant of Trommers Brewery. To the east, while abutting the cemetery, that part of the cemetery is an entrance and is pleasingly landscaped for some distance back from Bushwick avenue. There are no non-conforming uses in the block on the same side of Bushwick avenue to the west. Such non-conforming uses as exist on the opposite side of Bushwick avenue to the west, are not such as of themselves would indicate that their effect on this plot precludes a conforming or continuation of a residential use.

Practical difficulties and unnecessary hardship have

not been proven to warrant a favorable decision and denial is recommended.

HARRIS H. MURDOCK,
Chairman.
CHARLES M. BLUM,
BERNARD A. SAVAGE,
(Dissenting)
PATRICK WALSH,
(Dissenting)
Committee.

and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship,

Resolved, that the decision of the borough superintendent, re Application No. 5196-38, Item 1, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

726-23-BZ.

APPLICANT—Voorhees, Gmelin and Walker, for New York Telephone Company, owner.

SUBJECT—Application for consideration—reopening and amendment re (decision of the acting borough superintendent of buildings) under section 7-d of the building zone resolution, permitting in a residence use district and "C" area district, the erection and maintenance of an extension to an existing business (telephone) building and the omission of a rear yard to the extension of a corner building.

PREMISES AFFECTED—1612-1614 71st street and 7101-7105 16th avenue, southwest corner (Block No. 6181, Lot No. 8), Borough of Brooklyn.

APPEARANCES—

For Applicant: E. M. Simonson and M. Bevan Jones.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION

(726-23-BZ)

WHEREAS, New York Telephone Company, owner, filed, June 9, 1923, an application, under the building zone resolution, to permit in a residence use district, the erection and maintenance of an extension to an existing telephone exchange building; also in a "C" area district, the omission of a portion of a rear yard to the extension of a corner building; premises 1612-1614 71st street and 7101-7105 16th avenue, southwest corner (Block No. 6181, Lot No. 8), Borough of Brooklyn; and

WHEREAS, this application was granted by the board September 18, 1923, in certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the board on September 18, 1923, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that a rear yard, not less than six feet in its least dimension for the full width of the extension, be maintained, and that a side court, not less than 8 ft. 6 in. by 65 ft., be maintained at the residence district side or easterly end of the building; and that there shall be no exit or entrance in the residential section, other than the emergency tower exit at the easterly end of the building.

Resolved further, that in the event the owners desire to construct an extension entirely within the business use area, that such extension may be connected to the building as permitted under this resolution, *on condition* that the terms of this resolution shall in all other respects be complied with."

592-24-BZ.

APPLICANT—Bernard A. Abrashkin, for Harry L. Alper, owner.

SUBJECT—Application for consideration—reopening and extension of time to complete—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district, the alteration and change of occupancy of an existing public garage for more than five (5) motor vehicles, previously granted by the board, so as to permit the inclusion of a gasoline service station.

PREMISES AFFECTED—240-250 Empire boulevard, southwest corner of Rogers avenue (Block No. 1314, Lot No. 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sam Blumberg.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(592-24-BZ)

WHEREAS, this application affecting premises 240-250 Empire boulevard, southwest corner of Rogers avenue (Block No. 1314, Lot No. 44), Borough of Brooklyn, was granted by the board July 1, 1924, resolution amended February 10, 1928, November 27, 1934, January 22, 1935, February 11, 1936, April 13, 1937, April 19, 1938, and applicant requests an extension of time to complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 1, 1924, as amended by resolution adopted on January 22, 1935, in view of statement by the owner's representative that plans have been filed and approved, to extend the time within which to obtain permits and complete the work to one year from the date of this amended resolution; that other than as amended herein, the resolution adopted by the board, as amended January 22, 1935, shall be complied with in all respects.

42-37-BZ.

APPLICANT—Camager Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment re application (decision of the commissioner of buildings) under section 7c of the building zone resolution, permitting in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—89-06 to 89-14 Myrtle avenue and 82-02 to 82-10 Woodhaven boulevard, southwest corner (Block No. 3866, Lot No. 160), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Lefstein and Hugh W. Ronalds.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(42-37-BZ)

WHEREAS, Alfred H. Eccles, for Camager Corporation, owner, filed February 4, 1937, an application under the building zone resolution to permit in a business use district the extension of an existing gasoline service station; premises: 89-06 to 89-14 Myrtle avenue and 82-02 to 82-10 Woodhaven boulevard, southwest corner (Block No. 3866, Lot No. 160), Glendale, Borough of Queens; and

WHEREAS, this application was granted by the board May 18, 1937, on certain conditions, resolution amended July 13, 1938 and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted May 18, 1937, as amended July 13, 1938, only so far as it has reference to the greasing pits, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7-C to permit the existing gasoline station area to be increased to a total frontage along Woodhaven boulevard of 68 ft. 10 in. and a total frontage along Myrtle avenue of 100 ft., as indicated on revised plans marked 'Received May 18, 1937', and to use this entire area as a gasoline selling station, *on condition* that the plot shall be graded substantially to the grade of Myrtle avenue and Woodhaven boulevard; that all existing buildings, structures and gasoline pumps shall be removed; that the accessory building shall be not over one story in height and shall be located as indicated toward the westerly portion of the plot and shall be arranged for office, lubritorium and auto laundry; that this building shall be constructed of fireproof materials except that the roof beams, roof boarding, door frames and doors, window frames and sash, except those facing westerly, may be of wood, provided the ceiling throughout is fire retarded in accordance with the Rules of the Board of Standards and Appeals and the roof is weather surfaced with non-flammable material; that the boiler room shall be entered from the exterior and shall be separated from the balance of the building by fireproof construction; that there shall be a brick wall constructed on the southerly interior lot line continuously from Woodhaven boulevard to the westerly lot line; that this brick wall shall not be less than 7 ft. in height except that it may be constructed 4 ft. in height where it meets Woodhaven boulevard, including a 5 ft. return along Woodhaven boulevard street line and be graduated at the rate of 1 ft. in 4 ft. to the 7 ft. height; that along the westerly lot line there shall be constructed a substantial iron picket fence not less than 7 ft. in height; that the areas indicated along the southerly wall and at the corner of Woodhaven boulevard and Myrtle avenue and to the north of the accessory building along Myrtle avenue shall be landscaped and the areas shall be protected by concrete curbing not less than 8 in. in width and 8 in. in height and the boxwood hedge shall be maintained along the street fronts in these planted areas and other suitable planting shall be maintained at all times as approved by the Department of Parks; that the balance of the plot, where not covered by the accessory building walls and planted areas, shall be cement-paved; that gasoline pumps shall be installed not nearer than 21 ft. to the Woodhaven boulevard building line and not nearer than 18 ft. to the Myrtle avenue building line; that the gasoline pumps shall be of the parkway type with masonry pedestals; that entrances to property shall not exceed two (2), one to Woodhaven boulevard not over 43 ft. in width, with curb cut opposite of equal width, and opening and curb cut 40 ft. in width to Myrtle avenue; that no opening shall be nearer to the corner formed by the intersection of Woodhaven boulevard and Myrtle avenue than 10 ft.; that the accessory building and wall shall be constructed of red Colonial face brick with natural mortar joints and of the design as indicated on revised plans marked 'Received May 18, 1937' with building trim painted ivory color and so maintained; that the sloping roofs shall be of slate; that no automobile repairing shall be permitted on the premises; that there shall be no parking of cars other than those being serviced; that no portable tanks shall be used on or from the premises; that all advertising shall be restricted to the illuminated globes of the gasoline pumps and to non-illuminated signs attached to the front of accessory building, excluding all temporary signs and all roof signs, but permitting the erection of post standard within the building line, near the intersection of Woodhaven boulevard and Myrtle avenue, for supporting a non-illuminated sign advertising only the brand of gasoline sold, such sign shall not extend beyond the building line for a distance of more than 4 ft.: *that complete working drawings, approved as complying with the requirements of this resolution as amended, may be changed as to the arrangement of the greasing section, so as to permit the installation of hydraulic greasing equipment in place of greasing pits as heretofore approved, and permitting the height of the building to be increased not over two feet, on condition that such increase in height will not change the front elevation.*"

APPEALS FROM ADMINISTRATIVE ORDERS

768-38-A.

APPLICANT—The Salvation Army, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—526-540 West 46th street, south side, 275 ft. east of 11th avenue (Block No. 1074, Lot No. 49), Borough of Manhattan.
APPEARANCES—
For Applicant: L. B. Didriksen.
For Administration: Inspector Maher, Fire Dept.
ACTION OF BOARD—Laid over to November 1, 1938, at 2 P. M. for applicant to obtain additional information.

807-38-A.

APPLICANT—Maurice F. Miller, for John Mullins & Sons, Inc., lessee.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—529-533 Fifth avenue, northeast corner of 14th street (Block No. 1035, Lot No. 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: C. Jenkins.
ACTION OF BOARD—Laid over to November 1, 1938, at 2 P. M. on request of applicant's representative.

868-38-A.

APPLICANT—Ervin Palmer, for Bernard Smith, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
PREMISES AFFECTED—1585 Pitkin avenue, north side, 53 ft. west of Amboy street (Block No. 3495, Lot No. 36), Borough of Brooklyn.
APPEARANCES—

MINUTES

For Applicant: Ervin Palmer.
For Administration: Morris Hannes, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to November 1, 1938, at 2 P. M., pending inspection by committee of the board.

878-38-A.
APPLICANT—Joseph A. Nichols, for Department of Parks, City of New York, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—West side of South Wing of Concession Building, Orchard Beach, Pelham Bay Park, Borough of The Bronx.
APPEARANCES—
For Applicant: None.
For Administration: Inspector Meyer, Fire Dept.
ACTION OF BOARD—Laid over to October 25, 1938, at 2 P. M. No appearance for Park Department.

732-38-A.
APPLICANT—Anthony De Pace, for Bronx Eye and Ear Infirmary, owner.
SUBJECT—Appeal from orders and a decision of the fire commissioner.
PREMISES AFFECTED—321 East Tremont avenue, north side, 125.10 ft. east of Anthony avenue (Block No. 2814, Lot No. 17), Borough of The Bronx.
APPEARANCES—
For Applicant: S. Juster and W. Martasini.
For Administration: Inspector Meyer, Fire Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—
(732-38-A)

WHEREAS, Anthony DePace, for Bronx Eye and Ear Infirmary, owner, filed August 23, 1938, an appeal from an order and a decision of the fire commissioner affecting premises 321 East Tremont avenue, north side, 125.10 ft. east of Anthony avenue (Block No. 2814, Lot No. 17), Borough of The Bronx; and

WHEREAS, the order No. 13041-LC, of the fire commissioner, dated June 14, 1938, reads:

"2. Remove the refrigerating machine from premises located in store room on grade floor."

and

WHEREAS, said order was repeated in Order No. 13722-LC issued by the fire commissioner July 25, 1938 and decision of the fire commissioner dated August 17, 1938; and

WHEREAS, the building is 5 stories (70 ft. 4 in.) in height, 18 ft. by 66 ft. in area of non-fireproof construction, equipped with a standpipe system and located in a residence use district, erected in 1937 and occupied as a hospital for which certificate of occupancy No. 391 was issued October 3, 1937; and

WHEREAS, the applicant contends that the refrigerating machinery contains 4 pounds of Freon and was installed September 29, 1937.

Resolved, that the order of the fire commissioner, No. 3041-LC be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the amount of refrigerant shall at no time exceed 5 lbs.; that there shall be a direct galvanized duct, running from storage room in which the refrigerating system is installed, to outside air; that this duct shall be protected by a copper louvre and screen and equipped with a fan having a capacity of 50 cubic feet per minute; and that the doors leading to the storage room shall be fireproof and self-closing.

758-38-A.
APPLICANT—Samuel Rudy, for Swan Realty Corporation, owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—341 Broadway, west side, 83 ft. 5 in. north of Worth street (Block No. 173, Lot No. 30), Borough of Manhattan.
APPEARANCES—
For Applicant: Samuel Rudy.
For Administration: Inspector Maher, Fire Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—
(758-38-A)

WHEREAS, Samuel Rudy, for Swan Realty Corporation, owner, filed on August 30, 1938, an appeal from an order of the fire commissioner, affecting premises 341 Broadway, west side, 83 ft. 5 in. north of Worth street (Block No. 173, Lot No. 30), Borough of Manhattan; and

WHEREAS, Order No. 921-LF, issued by the fire commissioner June 15, 1938, reads:

"1. Provide an automatic thermostatic fire alarm system with direct connection to the Central Office of one of the operating companies in conjunction with the non-automatic dry sprinkler system now installed in sub-basement of premises. Art. 16, Chap. 26, Administrative Code."

and

WHEREAS, said order was repeated in a decision issued by the fire commissioner, dated August 1, 1938; and

WHEREAS, the building is 5 stories in height, of non-fireproof construction, 30 ft. 8 in. by 150 ft. in area; equipped with a sprinkler system in sub-basement; located in an unrestricted use district; constructed about 70 years ago; and occupied as follows: sub-cellar—storage of bed spreads in crates, no persons; cellar—storage of bed spreads in crates, 3 persons; 1st floor—office and salesrooms, 8 persons; 2nd, 3rd, 4th and 5th floors—vacant; and

WHEREAS, the applicant contends that the sub-basement is accessible from the outside for the purpose of extinguishing a fire, should one occur; that there is a freight elevator shaft and stairway leading to the Leonard street side of the premises, also an elevator shaft and stairway to the Broadway side; that there is a three-story elevator from the store to the sub-basement at about the center of the premises; that the installation of an automatic thermostatic system, etc., in the sub-basement is not now warranted and would only add to the owner's present financial burden of carrying the property and that no dangerous or hazardous condition exists in the premises.

Resolved, that the order of the fire commissioner, No. 921-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the entire premises below the grade of Broadway shall be protected with a non-automatic dry sprinkler system with siamese connections on Broadway and Leonard street and that the existing siameses may be accepted as meeting the requirements; that malleable iron fittings shall be used in all connections, for such new sprinkler work as is installed as herein required; that sprinklers need not be installed in the boiler room; that signs shall be placed on each siamese, stating that the system covers the cellar and sub-cellar and that the required means of exit to the sub-basement shall be maintained in an unobstructed condition at all times.

761-38-A.
APPLICANT—Samuel Rudy, for Katherine A. Wood, owner.

SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—118 Chambers street, south side, 112 ft. 11½ in. west of Church street (Block No. 136, Lot No. 23), Borough of Manhattan.
APPEARANCES—
For Applicant: Samuel Rudy.
For Administration: Inspector Maher, Fire Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—
(761-38-A)

WHEREAS, Samuel Rudy, for Katherine A. Wood, owner, filed September 1, 1938, an appeal from an order of the fire commissioner affecting premises 118 Chambers street, south side, 112 ft. 11½ in. west of Church street (Block No. 136, Lot No. 23), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner No. 1861-LF dated August 9, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar and sub-cellar, having at least one source of water supply arranged and equipped as per Art. 16, Administrative Code."

and

WHEREAS, the building is five stories in height, 25 ft. by 75 ft. in area, of non-fireproof construction, erected over 75 years ago, located in an unrestricted use district and occupied as follows: Sub-cellar, storage—no persons; cellar, shop room, 4 persons; first floor, sales room, 3 persons; 2nd floor, offices, 10 persons; 3rd to 5th floors, storage, no persons; and

WHEREAS, the applicant contends that the only things stored in the sub-cellar are chains, anchors and similar ship supplies; that the cellar is used as a shipping room; that the sub-cellar and cellar are easily accessible; that to compel the installation of a sprinkler system in the sub-cellar or cellar, is not now warranted and would only add to the owner's present financial burden of carrying the property and that no hazardous condition exists on the premises,

Resolved, that the order of the fire commissioner, No. 1861-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that a non-automatic dry sprinkler system shall be installed to cover the entire premises below the grade of Chambers street; that all fittings of such system shall be of malleable iron; that street siameses shall be installed on Chambers street, with a sign stating the system covers the cellar and sub-cellar, and that this system shall comply with all requirements therefor except as to thermostatic alarm and central office connection.

780-38-A.
APPLICANT—John J. Gilmartin, for Remington Arms Co., Inc., lessee.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—60-62 Warren street, northeast corner of West Broadway (Block No. 136, Lot No. 15), Borough of Manhattan.
APPEARANCES—
For Applicant: John J. Gilmartin.
For Administration: Inspector Meyer, Fire Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—
(780-38-A)

WHEREAS, John J. Gilmartin, for Remington Arms Co., Inc., lessee, filed on September 9, 1938, an appeal from an order of the fire commissioner affecting premises 60-62 Warren street, northeast corner of West Broadway (Block No. 136, Lot No. 15), Borough of Manhattan; and

WHEREAS, the order No. 13108-LC, issued by the fire commissioner June 20, 1938, reads:

"With reference to your application, dated April 8, 1938, for a permit to store and sell ammunition at above location, I regret to inform you that this department is without power to grant such a permit for the reason:

That building in part is now used as a place for the storage and sale of liquor, paints and cigars. Act 5-C-19 Title C- Part 1 of the New York City Administrative Code prohibits the issuance of permit under such condition.

You are, therefore, hereby ordered to:

1. Discontinue the storage and sale of ammunition in excess of 200 small arms cartridges on these premises."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated August 16, 1938; and

WHEREAS, the building is five stories (66 ft.) in height, 53 ft. 1 in. by 75 ft. in area, of non-fireproof construction; located in an unrestricted use district; erected previous to 1868; and occupied as follows: Cellar, storage of hardware and ammunition, 2 persons; first floor, stores, 5 persons; 2nd floor, offices and storage of floor covering, 15 persons; 3rd floor, printing, 15 persons; 4th floor, offices and engraving, 15 persons; for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that the premises have been used for the storage of arms and small ammunition for more than 25 years; that permits have been issued up to this year; that at the present time there is only a small amount of ammunition stored. The previous permits were for the following amounts:

50,000 loaded shells
500,000 cartridges for pistols
50,000 rifle cartridges, not larger than 45 cal.
50,000 cartridge primers;

that the basis of the fire department's refusal to issue the permits is the existence of the cigar and liquor stores on the West Broadway side of the same building; that the small amount of ammunition now stored is in approved vaults in the cellar of 60 Warren street; that the cigar store and liquor store are on the West Broadway side of the first floor and have been there for years.

Resolved, that the order of the fire commissioner, No. 13108-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* permitting the storage of ammunition as proposed in this appeal, as long as the storage condition is maintained as represented, namely in a fireproof vault in the cellar of the building; that this permit may continue as long as conditions are substantially as at present and meet the requirements of the fire commissioner in all other respects.

799-38-A.
APPLICANT—Saul Goldsmith, for Peter Hammer, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
PREMISES AFFECTED—863 Lenox road, north side, 51 ft. 6 in. east of East 53rd street (Block No. 4640, Lot No. 28), Borough of Brooklyn.
APPEARANCES—
For Applicant: Saul Goldsmith.
For Administration: Morris Hannes, Department of Housing and Buildings.

MINUTES

ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(799-38-A)

WHEREAS, Saul Goldsmith, for Peter Hammer, owner, filed September 19, 1938, an appeal from a decision of the borough superintendent, Dept. of Housing and Buildings, affecting premises 863 Lenox road, north side, 51 ft. 6 in. east of East 53d street (Block No. 4640, Lot No. 28), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated September 13, 1938, re Alt. App. 7769-38, reads:

"11. Garage on rear of lot is contrary to Section 60 of the Multiple Dwelling Law, as same is less than 15 feet from main building and not of fireproof construction throughout.

Note—Section 60 of the Multiple Dwelling Law should be complied with as same is included in Section 28, where (which?) in turn is required to be complied with by Section 170."

and

WHEREAS, the building is two stories (25 feet) in height, 21 ft. by 69 ft. in area, of non-fireproof construction; located in a residence use district; erected in 1926 and occupied as follows: Cellar—ordinary; 1st floor—dwelling, one family; 2nd floor, dwelling, one family; and

WHEREAS, it is proposed to alter the building so as to occupy it as follows: 1st floor—one family; 2nd floor—two families; and

WHEREAS, the applicant contends that the garage in question is of cement block construction, one story in height and has a capacity of two cars; that Section 60 refers only to garages hereafter erected; that a reasonable interpretation of Section 60 is that it extends privileges to existing garages, since the prime purpose of the Multiple Dwelling Law with respect to completed dwellings, was to permit existing conditions; that Section 28 refers only to buildings hereafter erected on the rear of the lot; Section 70 refers back to Section 28, which clearly refers to buildings hereafter erected; Section 70 has no relationship to existing garages at rear of lot; and

WHEREAS, in the opinion of the board, Section 60 applies, inasmuch as it is proposed to convert the building, to which the garage is accessory to a multiple dwelling.

Resolved, that the decision of the borough superintendent, acting on Alt. App. 7769-38, Item 11, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

804-38-A.
APPLICANT—Shroder and Koppel, for Paper Novelty Mfg. Company, lessee.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—499-507 Carroll street, north side, 200 ft. east of Third avenue and 530-570 President street (Block No. 448, Lot Nos. 13 and 18), Borough of Brooklyn.
APPEARANCES—
For Applicant: Maurice Sobel.
For Administration: Inspector Maher, Fire Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(804-38-A)

WHEREAS, Shroder & Koppel, for Paper Novelty Mfg. Co., lessee, filed September 20, 1938, an appeal from an order and a decision of the fire commissioner affecting premises: 499-507 Carroll street, north side, 200 ft. east of Third avenue, and 530-570 President street (Block No. 448, Lot Nos. 13 and 18), Borough of Brooklyn; and

WHEREAS, the order No. 1063-LF, issued by the fire commissioner, August 4, 1938, reads:

"1. Repair or replace the missing iron shutters with proper iron shutters at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at rear south side of President street building, or other approved protection. 491.2.2.2.0 Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated September 7, 1938; and

WHEREAS, the building is three stories (43 ft.) in height, 100 ft. front on Carroll street and 200 ft. on President street and a depth of 200 ft., of non-fireproof construction, located in an unrestricted use district and equipped with a sprinkler system; erected approximately 40 years ago and occupied as follows: Cellar, boiler room, machine room and stock, 15 persons; 1st floor, shipping and packing, 75 persons; 2nd floor, factory and offices, 40 persons; 3rd floor, factory, 30 persons; and

WHEREAS, the applicant contends that the building is 37 ft. 3 in. from first floor to underside of roof beams at the President street front; that the first floor is 3 ft. 9 in. above grade; that the building is but a few feet above the 40 ft. limit; that the building is equipped with a sprinkler throughout; that the only building affected is a one story unoccupied brick building at the rear; that the fire hazard is small and that the applicants should not be burdened with the cost of shutters, since the raising of 1st floor above sidewalk did not materially add to the hazard involved.

Resolved, that the order of the fire commissioner No. 1063-LF be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area and that the sprinkler system shall be maintained to the satisfaction of the fire department.

825-38-A.
APPLICANT—Emilio John Di Rienzo, for Arturo Mancini, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—645 East 183rd street, north side, 75 ft. east of Hughes avenue (Block No. 3087, Lot No. 35), Borough of The Bronx.
APPEARANCES—
For Applicant: Arturo Mancini.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(825-38-A)

WHEREAS, Emilio John Di Rienzo, for Arturo Mancini, owner, filed on September 27, 1938, an appeal from a decision of the borough superintendent, department of housing and buildings, affecting premises 645 East 183rd street, north side, 75 ft. east of Hughes avenue (Block No. 3087, Lot No. 35), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent on alteration. App. No. 368-38, reads:

"2. Proposed extension of a frame building located inside fire limits, is contrary to Section 4.1.5 of Building Code."

and

WHEREAS, the building is 2½ stories (25 ft.) in height, 26.5 ft. by 16 ft. in area, of frame construction; located in a business use, "B" area, district; erected in 1900 and occupied as follows: Cellar—ordinary; 1st floor—store and residence, 1 person; 2nd floor—residence, one family throughout; and

WHEREAS, it is proposed to build a frame extension at second story rear containing two bedrooms; and

WHEREAS, the applicant contends that the first story at the rear of the existing building is frame; that compliance with the Code would require the construction of the 2nd story extension of masonry, thus resulting in a masonry extension upon a frame structure. A modification is requested on condition that the proposed extension be used for dwelling occupancy only.

Resolved, that the decision of the borough superintendent on alterations App. No. 368-38, Item 2, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the proposed second story extension as indicated on plans filed with this appeal, *on condition* that the side walls shall be surfaced with noncombustible siding over a layer of saturated rag felt and that the roof shall be similarly surfaced or surfaced with asphalt shingles; that this modification shall continue only so long as the proposed extension is used, in conjunction with the balance of the residential portion of the building, as a one-family residence for the owner and complies in all other respects with all laws, rules and regulations applicable thereto.

829-38-A.

APPLICANT—Cities Service Company, owner.

SUBJECT—Appeal from a decision of the fire commissioner relative to the transportation, sale, storage and manufacture of Anti-Freeze "KOLDPRUF" (inflammable mixture) in non-refillable cans in New York City.

APPEARANCES—

For Applicant: C. W. Morian.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(829-38-A)

WHEREAS, Cities Service Oil Company, owner, filed on September 28, 1938, an appeal from a decision of the fire commissioner relating to the storage and sale of "Koldpruf" Anti-Freeze; and

WHEREAS, the decision of the fire commissioner, dated August 29, 1938, reads:

"Responding to your favor of August 19, 1938, in reference to the product known as 'Koldpruf', be advised that this department disapproves all cans used for packing and shipping anti-freeze (inflammable mixtures) other than the type as specified and provided for in Section C-19-59.0C of the Administrative Code of the City of New York, for the reason that

'Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five (5) gallons each; cans to be fitted with a tight fitting replaceable top, cap or other device, so made that the can shall be airtight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each.'"

and

WHEREAS, it is proposed to market "Koldpruf" Anti-Freeze, which is a methanol alcohol, containing an inhibitor, in one gallon and one quart sealed cans without replaceable tops; and

WHEREAS, the applicant contends that this application is similar to appeals previously granted by the board; that it is proposed to place on the top of each can a sticker bearing in white letters on red background the words, "Upon Opening Remove Entire Contents At Once" and after January 1st to incorporate this notice in a prominent place on their lithographed label.

Resolved, that the decision of the fire commissioner, dated August 29, 1938, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the transportation, sale, storage and manufacture of Anti-Freeze (inflammable mixture) as described in this appeal, in one gallon cans and one quart cans without tight-fitting replaceable top, *on condition* that there shall appear on each can a permanent notice, reading "Upon Opening Remove Entire Contents At Once"; such notice shall be in white letters on a red background or vice versa; that this lithographed label shall also contain the words "This Container For Anti-Freeze Approved by the Board of Standards and Appeals under Cal. No. 829-38-A." and that this product may be marketed under the name "Koldpruf Anti-Freeze".

875-38-A.

APPLICANT—Joseph H. Cornell, for Anna Cantwell, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—589 Beach 43rd street, west side, 1,000 ft. south of Beach Channel drive (Block No. 418, Lot No. 50), Edgemere, Borough of Queens.

APPEARANCES—

For Applicant: Joseph H. Cornell.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(875-38-A)

WHEREAS, Joseph H. Cornell, for Anna Cantwell, owner, filed October 13, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises 589 Beach 43rd street, west side, 1,000 ft. south of Beach Channel drive (Block No. 418, Lot No. 50), Edgemere Borough of Queens; and

WHEREAS, the decision of the borough superintendent on New Building Application 2736-38, dated October 6, 1938, reads:

"Frame construction within the fire limits contrary to the code."

and

WHEREAS, the building is one story (14 ft.) in height 16 ft. by 35 ft. in area, of frame construction, erected in 1937, located in an undetermined district and occupied as a one-family dwelling (bungalow); and

WHEREAS, the applicant contends that the building was erected without plans and a violation was issued against the same; that the present application has been filed for the purpose of filing plans and removing the violation; that a modification is requested, to permit continuance of the frame structure due to proximity of Jamaica Bay and meadow conditions, preventing construction of masonry work.

Resolved, that the decision of the borough superintendent acting on N.B. App. No. 2736-38, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, so as to permit the building to be constructed of frame construc

tion, *on condition* that it shall not be increased in height or area and that the open spaces surrounding the building shall not be reduced; that the building shall comply in all other respects with all laws, rules and regulations applicable thereto, and this modification is *granted only so long* as this building is used as a residential building for the occupancy of one family.

881-38-A.

APPLICANT—Samuel Roth, for Bench Properties Incorporated, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—223-225 East 17th street, north side, 271.5 ft. west of Second avenue (Block No. 898, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: Henry G. Harris.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(881-38-A)

WHEREAS, Samuel Roth, for Bench Properties, Incorporated, owner, filed on October 13, 1938, an appeal from an order of the fire commissioner, affecting premises 223-225 East 17th street, north side, 271.5 feet west of Second avenue (Block No. 898, Lot No. 16), Borough of Manhattan; and

WHEREAS, Order No. 2382-LF, issued by the fire commissioner, September 19, 1938, reads:

"1. Install 4 in. standpipe system arranged and equipped as per Chapter 26, Art. 17 Administrative Code.

Plans must be filed with and approved by the Department of Housing and Buildings before work can be commenced. C19-161.0 Adm. Code."

and

WHEREAS, the building is 8 stories (93 ft.) in height, 54 ft. 6 in. by 94 ft. in area, of fireproof construction; located in a residence use district; erected in 1880 and occupied throughout as a multiple dwelling. There is an existing 2 in. standpipe riser equipped with 1½ in. hose outlet valves located in a vent shaft, as shown on plans filed with this appeal. This standpipe line is supplied from two 1050 gallon house supply tanks, cross-connected above the top outlet; and

WHEREAS, applicant contends that the rear portion of the building exceeds the 85 ft. height by only 8 ft. and the front portion of the building is only 81 ft. high; the building is divided into two separate fire areas of 2,100 sq. ft. each. In lieu of the required standpipe system, it is proposed to install a fire extinguisher at all entrances to apartments from stairhalls or as an alternative, to provide two hose outlets with 50 ft. of 2 in. hose fed directly from the existing roof tanks, a separate outlet to be placed in the private hall of each of the eighth floor apartments. The building was constructed in 1880 according to N.B. Plan 1284 and altered in 1886 under Alt. 1260-86, after a fire and in 1920 the top floor was arranged for two families under Alt. App. 1776-20, for which certificate of occupancy was issued; and

WHEREAS, in the opinion of the board, the conditions justify the order issued.

Resolved, that the order of the fire commissioner No. 2382-LF be and it hereby is *affirmed,* and that the appeal be and it hereby is *denied.*

886-38-A.

APPLICANT—H. I. Feldman, for Filmar Building Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2382-2386 Davidson avenue, east side, 80 ft. north of West 184th street (Block No. 3199, Lot Nos. 53 and 57), Borough of The Bronx.

APPEARANCES—

For Applicant: H. I. Feldman.

For Administration: M. Harris, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(886-38-A)

WHEREAS, H. I. Feldman for Filmar Building Corporation, owner, filed October 13, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises 2382-2386 Davidson avenue, east side, 80 ft. north of West 184th street (Block No. 3199, Lot Nos. 53 and 57), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, on New Building Application 503-38, dated October 6, 1938, reads:

"A-9: The length of the recess off the stairhall may not exceed twice its width. Sec. 149 Multiple Dwelling Law. See recesses checked B upper stories plan."

and

WHEREAS, the building is six stories (62 ft.) in height, 70 ft. by 97 ft. 8 in. in area, of non-fireproof construction, located in a residence use "B" area district, to be occupied as a multiple dwelling; and

WHEREAS, the applicant contends that an interpretation of section 149 is necessary; that while the depth of the recess exceeds twice the width, there is an elevator, which faces it, and that the recess could be considered an elevator vestibule, where no light is needed, and that this section of the hall is ventilated by a duct and fan; and

WHEREAS, in the opinion of the board, the space in the public hall in front of the elevator cannot be deemed an elevator vestibule, and that if it were so deemed, it would be unlawful to pass from one portion of the public hall through the elevator vestibule to another part of the public hall to reach the required exit and that the requirements for lighting the public hall have not been met.

Resolved, that the decision of the borough superintendent, acting on N.B. App. No. 503-38, Item A-9, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

893-38-A.

APPLICANT—Gold Leasing Corporation, lessee.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—143 West 30th street, north side, 225 ft. east of Seventh avenue (Block No. 806, Lot No. 12), Borough of Manhattan.

APPEARANCES—

For Applicant: Alvin Alkon.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(893-38-A)

WHEREAS, Gold Leasing Corporation, lessee, filed Oetober 17, 1938, an appeal from a deeision of the fire commissioner, affecting premises 143 West 30th street, northside, 225 ft. east of Seventh avenue (Block No. 806, Lot No. 12), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated September 22, 1938, reads:

"In reply to your letter in reference to accepting the sidewalk box on the control valve to city main conneetion for the automatic sprinkler system installed in the above premises, you are advised that the box installed is not of a type approved by the Board of Standards and Appeals. Your request must therefore be denied."

and

WHEREAS, the building is 2 stories (30 ft. 9¾ in.) in height, 25 ft. by 98 ft. 9 in. in area, of fireproof eonstruction, equipped with a sprinkler system and located in an unrestricted use district, erected in 1937 and occupied, cellar, storage, 2 persons; 1st floor, stores, 12 persons; 2nd floor, mercantile shop, 6 persons; for which certificate No. 23118 was issued December 7, 1937; and

WHEREAS, the applicant contends that there are no approved boxes; that the box installed is manufactured by the Central Foundry Company and will be submitted by said company to the board of standards and appeals for approval. Sprinkler system and equipment was approved by the New York Fire Insurance Exchange.

Resolved, that the decision of the Fire Commissioner, dated September 22, 1938, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that until such time as a box is submitted for approval to the board of standards and appeals under the artiele governing sprinkler systems in the building code, the installation shall be satisfactory to the Fire Commissioner; that in the event the box as installed is not of the type as may hereafter be approved by the board of standards and appeals, such box shall be removed and replaced by an approved box; and that such box may be installed within two feet of the street eurb line.

895-38-A.

APPLICANT—Consolidated Expanded Metal Company, for Tannell Realty Company, Ine., owner.

SUBJECT—Appeal from a deeision of the aeting borough superintendent of buildings.

PREMISES AFFECTED—745-753 Lineoln plaee, north side, 264 ft. 10 in. west of Nostrand avenue (Bloek No. 1254, Lot Nos. 57-60 inelusive), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles Rattner.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on eondition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(895-38-A)

WHEREAS, Consolidated Expanded Metal Company, for Tannell Realty Company, Inc., owner, filed Oetober 17, 1938, an appeal from a decision of the acting borough superintendent of buildings affeeting premises 745-753 Lincoln Place, north side, 264 ft. 10 in. west of Nostrand avenue (Block No. 1254, Lot Nos. 57-60 inclusive), Borough of Brooklyn; and

WHEREAS, the decision of the superintendent of buildings, No. 15410-38, dated Oetober 17, 1938, reads:

"Proposed use of 'Jumbo' lath throughout building, without interruption as a plaster base, is eontrary to 8.4.10.2 of Code."

and

WHEREAS, the proposed building is to be 6 stories (63 ft.) in height, 80 ft. by 87 ft. in area, of non-fireproof construction; located in a residence use, "C" area district; to be occupied throughout as a multiple dwelling, it is proposed to use "Jumbo" expanded metal lath throughout the building; and

WHEREAS, the applicant eontends, that while expanded metal reinforcings vary slightly from the weight required by the Code, that due to its design, which permits the metal strands to be encased in the plaster so as to form a reinforced monolithie slab, it is the equivalent of the lath required by the code.

Resolved, that the decision of the borough superintendent, aeting on App. No. 15410-38, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the use of "Jumbo" expanded lath as a substitute for wood lath, *on condition* that in all other respeets the requirements for the installation of eombustible lath shall be complied with.

896-38-A.

APPLICANT—Taggart Plumbing Company, for Twentieth Century-Fox Film Corporation, lessee.

SUBJECT—Appeal from a decision of the fire eommissioner.

PREMISES AFFECTED—447-453 West 53rd street, north side, 75 ft. east of Tenth avenue (Bloek No. 1063, Lot Nos. 5 and 7 and part of Lot Nos. 1 and 2), Borough of Manhattan.

APPEARANCES—

For Applicant: Jacob Nitzberg.

For Administration: Inspeetor Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on eondition.

THE VOTE—

Affirmative: Chairman Murdoek, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(896-38-A)

WHEREAS, Taggart Plumbing Company, for Twentieth Century-Fox Film Corporation, lessee, filed Oetober 17, 1938, an appeal from a deeision of the fire eommissioner, affecting premises 447-453 West 53rd street, north side, 75 ft. east of Tenth avenue (Block No. 1063, Lot No. 5, 7 and part of Lots 1 and 2), Borough of Manhattan; and

WHEREAS, the deeision of the fire eommissioner, Plan No. 285-38, dated Oetober 13, 1938, reads:

"You are advised that a reeent inspeetion of the standpipe system shows the following defeet:—

1—Provide an approved standpipe main eontrol box."

and

WHEREAS, the building is 1 and 3 stories (47 ft.) in height, 100 ft. by 100 ft. 5 in. in area, of fireproof construction and equipped with a standpipe and sprinkler system; ereeted in 1938 and located partly in a residenee and partly in a business use distriet; oecupied as follows: cellar—none; 1st floor—studio and carpenter shop, 55 persons; 2nd floor—dressing room and offiee, 25 persons; 3rd floor—property room and offiee, 25 persons; and

WHEREAS, applieant eontends there is no approved standpipe main eontrol box on the market; that the box installed is manufactured by Fee and Mason and is of a type previously used to eontrol water in New York City.

Resolved, that the deeision of the fire eommissioner, re Plan No. 285-38, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that until such time as a box is submitted for approval to the Board of Standards and Appeals under the artiele governing standpipe systems in the building eode, the installation shall

be satisfactory to the fire commissioner; that in the event the box as installed is not of the type as may hereafter be approved by the Board of Standards and Appeals, such box shall be removed and replaced by an approved box.

VARIATION OF LABOR LAW

891-38-S.

APPLICANT—Horace Ginsbern, for Schaffer and Taub Corporation, owner.

SUBJECT—Variation of Labor Law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1809-1817 Carter avenue, west side, 113.31 ft. north of Prospect place (Block No. 2892, Lot Nos. 59-63 inclusive), Borough of The Bronx.

APPEARANCES—

For Applicant: Horace Ginsbern.

For Administration: M. C. E. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(891-38-S)

WHEREAS, Horace Ginsbern for Schaffer & Taub Corporation, owner, filed on October 14, 1938, an application for a variation of the Labor Law, as cited in a decision of the borough superintendent, department of housing and buildings, affecting premises 1809-1817 Carter avenue, west side, 113.31 ft. north of Prospect place (Block No. 2892, Lot Nos. 59 to 63 inclusive), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated October 14, 1938, reads:

"Replying to yours of May 27, please be advised that a Certificate of Occupancy for the factory building at above mentioned location is again denied as the following objections have not been complied with:

1. Provide interior stairway in 1809 constructed and enclosed as per Sec. 270 of the Labor Law.

2. Provide secondary means of exit from office second story of 1817 as per Sec. 270 of the Labor Law.

The modifications as per Items 3 and 4 of the amendment dated November 9, 1936 to which you refer were granted in error as the only authority empowered to grant relief in this instance is the Board of Standards and Appeals. Further, the modification requested in Item 3 of the amendment requesting permission to have two horizontal exits from 2nd floor of existing two-story building in rear of proposed extension in lieu of interior stairway, etc., has not been complied with as reinspection of the premises disclosed only one opening between No. 1809 and No. 1811."

nd

WHEREAS, the building is two stories (23 ft.) in height, 27.24 ft. by 124 ft. in area on the 1st floor and 72 ft. by 08 ft. above; of non-fireproof construction; erected in 912, and occupied as follows: 1st floor, manufacture of ietal doors and bucks, 35 persons; 2nd floor, manufac- ire of metal doors and bucks and office, 18 persons; and

WHEREAS, applicant contends that second floor covers nly a small portion of the premises and is of similar type onstruction; that the building is provided with two in- rior stairs and one exterior stair; that one fireproof in- rior stairway leads from the street to the second floor f building No. 1811, which is used for manufacturing urposes; the second fireproof stairway leads from the reet to the small office space on the second floor over building No. 1813; that the carpentry shop at the rear of building No. 1809 is provided with two horizontal exits in addition to two doors, which open on to the roof of the one-story building at the front; at the rear of the second floor of building No. 1811, a doorway leads to an exterior stairway, which has access to the rear yard and egress can be had over roofs of the adjoining buildings; that on September 2, 1936, the applicant filed plans with the department of buildings, showing certain additions and alterations under Application No. 594-1936 and said plans and applications were approved on November 9th, 1936; that the question of exits was raised at that time by the department of buildings, since there was pending Order No. 662-1936 (1 and 2) Fire Prevention. Modifications were granted by the commissioner of buildings for relief from said orders before the plans were approved. Upon application for a Certificate of Occupancy for these said premises, the borough superintendent of the Department of Housing and Buildings refused to issue same on the ground that the original approval of the plans were granted in error.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in decision of the borough superintendent, dated October 14, 1938, and that the application be and it hereby is *granted on condition* that the building shall not be further increased in height or area and that the exits shall be maintained as indicated on plans filed with this application; that the building in all other respects shall comply with the requirements of the Labor Law and all other laws, rules and regulations applicable to building and occupancy; that this variance shall continue only so long as building is occupied for the type of manufacture as herein stated.

APPLIANCES SUBMITTED FOR APPROVAL

492-38-SA.

APPLICANT—Milburn Sales Corp., agent for The Alexander Milburn Co., owner.

SUBJECT—Milburn Spray Painting Equipment, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(492-38-SA)

WHEREAS, H. A. Schwarz, for Milburn Sales Corp., agent, on behalf of the Alexander Milburn Co., owner, filed June 15, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Milburn Spray Painting Equipment; and

WHEREAS, this matter was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board, supplemented by that of the division of combustibles of the fire department was substantially as follows:

The paint tank under test was a 15-gallon size, designed to operate at 80 pounds pressure. Professor Kenyon of Columbia University subjected this paint container to 200 pounds hydrostatic pressure test.

During the period of test, the paint container showed no evidence of a leak or distortion. The regulator used to regulate the pressure of the air upon the paint in this paint container is the Milburn regulating valve approved by the fire department under Certificate of Approval 596.

The spray guns examined are manufactured by this concern and it was found that the same are of the

suction type, i.e. no pressure is imposed upon the one-quart paint container. The air is conducted through the handle of the gun and by means of a tricker and is released through the atomizing head. In coming through the atomizing head, the air picks up the paint through a spud and tube, which are inserted into the paint container.

As a result of this inspection and test, it is therefore recommended that the Milburn Spray Painting Equipment be approved when installed in accordance with the paint spraying rules adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Milburn Spray Painting Equipment, when manufactured and operated in accordance with the above report and with the paint spraying rules of the Board of Standards and Appeals, *on condition* that the device shall bear a label permanently affixed thereto reading:

"Approved by the Board of Standards and Appeals for use in New York City under Cal. 492-38-SA."

800-38-SA.

APPLICANT—George D. Olson, agent for Delco Appliance Corporation, owner.

SUBJECT—Delco Heat Oil Burner, Models DX, D12, D34, D44, DR, DR-0, DR-1, DRF, DF2 and DLM, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(800-38-SA)

WHEREAS, George D. Olson, for the Delco Appliance Corporation, owner, filed September 19, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Delco Heat Oil Burner, Models DX, D12, D34, D44, DR, DR-0, DR-1, DRF, DF2 and DLM; and

WHEREAS, this device was submitted to the engineer of the Board for test and report; and

WHEREAS, the report of the Engineer of the Board, supplemented by that of the division of combustibles of the Fire Department, was substantially as follows:

These oil burners are of the pressure atomizing gun type, the only difference being in the size of the fan and nozzle used in each burner.

A description of these burners is as follows:

MODEL DX—This is a gun type conversion model, consisting of ⅛ H.P. Delco motor; Delco pump; strainer and pressure regulating valve; a Sirocco type fan. Nozzle is Delco; 2.5 gallons per hour.

Ignition—Electric, Delco transformer; 110-10,000 volts.

Controls—Minneapolis Honeywell, consisting of a pressure relay aquastat or pressuretrol.

MODEL D12—This burner consists of a ⅙ H.P. Delco motor; a Delco pump; strainer and regulating valve unit; a Sirocco 8-in. fan and a Delco nozzle, having a capacity of three to seven gallons per hour.

Ignition—Same as above.

Controls—Minneapolis Honeywell Protectorelay acquastat or Pressuretrol.

MODEL D34—This burner consists of a ⅓ H.P. Delco motor; a Delco pump; strainer and regulating valve unit; a 10-in. Sirocco fan and a Delco nozzle having a capacity of five to thirteen gallons per hour.

Ignition—Same as above.

Controls—Minneapolis Honeywell Protectorelay acquastat or Pressuretrol.

MODEL D44—Is the same as MODEL D34 in all respects with the exception of placing of the parts in the assembly.

MODEL DR—Consists of an ⅛ H.P. Delco motor; a Delco pump; strainer and regulating valve; a Delco nozzle of a capacity of 1.35 to 2.75 gallons per hour.

Ignition—Electric Delco transformer 110-10,000 volts.

Controls—Minneapolis Honeywell Protectorelay acquastat or Pressuretrol.

MODEL DR-0—Is the same as the MODEL DR above-described, with the exception that it is fitted for flange mounting in boiler burner units.

MODEL DR-1—This is the same as MODEL DR with the exception that it has a smaller nozzle that is of a capacity of 1 to 1.35 gallons per hour.

MODEL DRF—Is identical with MODEL DR-1 with the exception that it is made for the purpose of flange mounting to boiler burner units.

MODEL DF2—Is similar to the above model with the exception that it has a larger nozzle capacity, that is, a range of from 1.35 to 5½ gallons per hour.

MODEL DLM—This burner is identical in construction and operation with the MODEL DRF with the exception that this burner is made for conversion type installations and has a standard leg mounting upon the floor.

The burner was put into operation with the oil supply shut off and controls functioned as designed, shutting the burner down in 71 and 73 seconds respectively. The burner was then put into normal operation and during the period of the test there were no flarebacks due to faulty ignition and the flame was clean and free of smoke. Examination of the combustion chamber showed no undue carbon deposits.

As a result of this inspection and test, it is recommended that the Delco Heat Oil Burner, Models DX, D12, D34, D44, DR, DR-0, DR-1, DRF, DF2 and DLM, be approved for domestic, industrial and commercial use, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Delco Heat Oil Burner, Models DX, D12, D34, D44, DR, DR-0, DR-1, DRF, DF2 and DLM, for use in domestic, commercial and industrial installations with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards, when installed in accordance with above report and with the Oil Burner Rules of the Board of Standards and Appeals, *on condition* that the device shall have a label permanently affixed thereto reading "Approved by the Board of Standards and Appeals for Use in New York City under Cal. No. 800-38-SA."

MATERIAL SUBMITTED FOR APPROVAL

733-38-SM.

APPLICANT—The Ruberoid Company, owner.

SUBJECT—Ruberoid Built-up roofings, Asphalt Shingles, and Asbestos Shingles—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of committee.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

MINUTES

THE RESOLUTION—

(733-38-SM)

WHEREAS, the Ruberoid Company, owner, filed August 23, 1938, an application with the Board of Standards and Appeals for approval of the material known as Ruberoid Built-up Roofing, Asphalt Shingles and Asbestos Shingles; and

WHEREAS, this material was submitted to the Committee on Tests of the board, for test and report; and

WHEREAS, the report of the Committee on Test was as follows:

October 11, 1938.

Cal. No. 733-38-SM
Subject: Ruberoid Roofing Materials.

REPORT OF COMMITTEE ON TESTS

The Ruberoid Company of New York City filed August 23, 1938, with the Board of Standards and Appeals, an application for approval of their roofing materials as listed herein under tests specified in C-26-680 AC/ (10.12.11.1 BC) and Group 16, Art. 2 A.C. (10.1.16 BC).

This roofing material is manufactured at their plant in Bound Brook, N. J., St. Louis, Mo., Erie, Pa., Baltimore, Md., Joliet, Ill., Mobile Ala., and Millis, Mass.

The following test samples consisted of complete assemblies of roof deck and covering, as is applied in practice, having an area of 12 square feet. Upon these roof decks was placed a fully burning brand for the purpose of investigating the possibility of spread of flame and depth of charring and ignition of the wood decking. Results of these tests and specifications for heavier material or greater coverage are described herein. The quantities of waterproofing material used between plies of felt are 30 lbs. per square, and top surfacing of any smooth surface specification is 25 lbs. per square; if slag or gravel is used, the top pouring is asphalt 50 lbs. per square, and coal tar pitch, 75 lbs. pouring per square.

Tests were performed on typical roof deckings, representative of each group of roofing material, as follows:

BUILT-UP ROOF AND RE-ROOFING SPECIFICATIONS

TEST NO. 1. THREE-PLY ASPHALT FELT, ASPHALT AND SLAG SPECIFICATION

Specification No. 1. Three-ply Asphalt and Slag or Gravel specifications over 7/8" wood sheathing composed of 1-30 lb. asphalt saturated rag felt and 2-14 lb. asphalt saturated rag felts mopped solid over the base felt and surfaced with a top pouring of asphalt into which is embedded a surfacing of slag on the basis of 300 lbs. per 100 sq. ft. of roof area.

The brand was consumed in 23 min. 30 sec., charring the top ply with no effect on the combustible deck. (See photo marked "Test No. 1").

Similar roofings of heavier construction are also manufactured as follows:

Specification No. 2. (Over wood deck) Three-ply Asphalt and (slag or gravel) using 1-30 lb. asphalt saturated rag felt and 2 layers of 14 lb. asphalt saturated rag felt, mopped solid and surfaced with slag or gravel with the alternative that in place of a 30-lb. felt, 2 layers of 14 lb. or 2-15 lb. felt may be used as the base felt. For inclines from 1/4" up to 3" per foot.

Specification No. 3. (Over wood deck). Four-ply Asphalt and (slag or gravel) using 1-30 lb. asphalt saturated rag felt as a base felt with 3-14 lb. felts, mopped solid, surfaced with slag or gravel with the alternative that in place of the 30 lb. asphalt felt, 2 layers of 14 lb. felt may be used as the base felt. For inclines from 1/4" up to 3" per foot.

Specification No. 4. (Over non-combustible deck, or over rigid roof insulation) 3 plies of 14 lb. or 3-15 lb. Asphalt saturated rag felt all mopped solid and surfaced with slag or gravel. For inclines 1/4" up to 3" per foot.

Specification No. 5. (Over non-combustible deck, or over rigid roof insulation) 4 plies of 14 lb. or 4-15 lb. Asphalt saturated rag felt all mopped solid and surfaced with slag or gravel. For inclines 1/4" up to 3" per foot.

TEST NO. 2. FOUR-PLY PITCH AND SLAG SPECIFICATIONS.

Specification No. 6. Four-ply pitch and felt with (slag or gravel) surface specification over 7/8" wood sheathing composed of 1 layer of rosin-sized sheathing paper, 2 layers of 14 lb. Tarred saturated rag felts, laid dry, and 2 layers of 14 lb. Tarred saturated rag felts mopped solid over the base felts and surfaced with a top pouring of pitch into which is embedded a surfacing of slag on the basis of 300 lbs. per 100 sq. ft. The brand was consumed in 15 min. 50 sec. with no effect on the combustible deck. (See Photo marked Test No. 2).

Similar roofings of heavier construction are also manufactured as follows:

Specification No. 7. (Over wood deck) four plies 14 lb. or 4-15 lb. Tarred saturated rag felt and coal tar pitch over wood deck with slag or gravel surfacing. For inclines from 1/4" up to 2" per foot.

Specification No. 8. (Over wood deck) 5 plies 14 lb. or 5-15 lb. Tarred saturated rag felts and coal tar pitch over wood deck with slag or gravel surfacing. For inclines from 1/4" up to 2" per foot.

Specification No. 10. (Over non-combustible deck, or over rigid roof insulation) Three plies 14 lb. or 3-15 lb. tarred saturated rag felt and pitch over non-combustible deck with slag or gravel surfacing. For inclines from 1/4" up to 2" per foot.

Specification No. 10. (Over non-combustible deck, or over rigid roof insulation) four plies 14 lb. or 4-15 lb. tarred saturated rag felt and pitch over non-combustible deck with slag or gravel surfacing. For inclines from 1/4" up to 2" per foot.

TEST NO. 3. 34-lb. CAP SHEET OVER ONE 30-lb. BASE SHEET AND TWO 14-lb. FELTS.

Specification No. 11. Smooth surfaced asphalt specification with Ruberoid 34-lb. black and white cap sheet surfacing composed of 1-30 lb. asphalt saturated rag felt base sheet and 2-14 lb. or 2-15 lb. asphalt saturated felts mopped solid and surfaced with 1-34 lb. Ruberoid black and white cap sheet mopped solid.

The brand was consumed in 24 minutes 52 seconds, with no effect on the bottom layer or the combustible decking. (See Photo marked Test No. 3.)

Specification No. 12. (Over non-combustible decks, or over rigid roof insulation) 3 plies 14 lb. or 3-15 lb. asphalt saturated rag felt all mopped solid with 1-34 lb. Ruberoid Black & White Cap Sheet cemented in asphalt. For inclines 1/4" up to 3" per foot.

TEST NO. 4. Withdrawn temporarily.

TEST NO. 5. MINERAL SURFACED DUBL-COVERAGE CONSTRUCTION

Specification No. 14. 19" Selvage Edge Ruberoid Dubl-Coverage Mineral Surfaced Specification over 7/8" wood sheathing composed of 1 layer of 14 lb. or 15 lb. asphalt saturated rag felt laid dry, over which 2 plies of 55 lbs. Ruberoid Dubl-Coverage Mineral Surfaced Roofing is mopped solid to the dry felts and to each other between the 17" or 19" selvage lap.

The brand was consumed in 24 min. 40 sec., consuming the two top plies with no effect on the bottom ply or the combustible decking. (See photo marked Test No. 5).

Similar roofings of heavier construction are manufactured as follows:

Specification No. 16. (Over wood deck) 2 plies 14 lb. or 15 lb. asphalt saturated rag felt laid dry and

properly nailed and 2 layers of 55 lb. Ruberoid Dubl-Coverage Mineral Surfaced Roofing mopped solid over the base felts. For inclines from ¼″ up to 9″ per feet.

Specification No. 17. (Over non-combustible deck, or over rigid roof insulation) 1-14 lb. or 15 lb. asphalt saturated rag felt mopped solid to deck and 2 layers of 55 lb. Ruberoid Dubl-Coverage Mineral Surfaced Roofing mopped solid. For inclines from ¼″ up to 9″ per foot.

Specification No. 18. (Over non-combustible deck, or over rigid roof insulation) 2-14 lb. asphalt saturated rag felts mopped solid over deck and 2 plies of 55 lb. Ruberoid Dubl-Coverage Mineral Surfaced Roofing mopped solid over the first 2 layers of felt. For inclines from ¼″ up to 9″ per foot.

TEST NO. 6. 75 LB. MINERAL SURFACED STA-SLATE CAP SHEET OVER 1-30 LB. BASE SHEET AND OVER 1-14 LB. FELT.

Specification No. 19. 1-75 lb. Ruberoid Sta-Slate mineral Surfaced Cap Sheet Specification over ⅞″ wood sheathing, composed of 1-30 lb. asphalt saturated rag felt laid dry and properly nailed and 1-14 lb. or 15 lb. asphalt saturated rag felt mopped solid and 1-75 lb. Ruberoid Sta-Slate Mineral Surfaced Cap Sheet mopped solid.

The brand was consumed in 27 min. 33 sec., consuming all plies with no effect on the combustible deck. (See photo marked Test No. 6).

TEST NO. 7. COMBINATION ASBESTOS AND ASPHALT BUILT-UP ROOF 1-30 LB. ASPHALT BASE FELT AND 2-15 LB. ASBESTOS FELTS.

Specification No. 20. Combination asbestos specification over ⅞″ wood sheathing composed of 1-30 lb. asphalt saturated rag felt laid dry and properly nailed and 2-15 lb. or 2-20 lb. asphalt saturated asbestos felts mopped solid, surface coated with 25 lbs. of asphalt or a cold coating of asphalt using not less than 1 gallon of Ruberoid Asphalt coating per 100 sq. ft.

The brand was consumed in 18 min. 35 sec., consuming the two top asbestos felts with no effect on the bottom ply or the combustible decking. (See photo marked Test No. 7).

Similar materials of heavier construction are manufactured as follows:

Specification No. 21. (Combination) over non-combustible deck. 1-30 lb. asphalt saturated rag felt and 2-15 lb. or 2-20 lb. asphalt saturated asbestos felts mopped solid, surfaced with asphalt or asphaltic compound. For inclines from ¼″ up to 9″ per foot.

Specification No. 23. (Over rigid insulation on either wood deck or non-combustible deck) 2-20 lb. asphalt saturated asbestos felts mopped solid over rigid insulation, surfaced with asphalt or asphaltic compound. For inclines from ¼″ up to 9″ per foot.

Specification No. 24. (Combination) over wood deck. 1-40 lb. asphalt saturated rag felt and 2-20 lb. or 2-15 lb. asphalt saturated asbestos felts mopped solid and surfaced with asphalt or asphaltic compound. For inclines from ¼″ up to 9″ per foot.

Specification No. 25. (Combination) over non-combustible deck. 2-14 lb. or 2-15 lb. asphalt saturated rag felts and 2-15 lb. or 2-20 lb. asphalt saturated asbestos felts mopped solid and surfaced with asphalt or asphaltic compound. Inclines from ¼″ up to 9″ per foot.

Specification No. 26. (Over rigid insulation on either wood deck or non-combustible deck) 3-15 lb. or 3-20 lb. asphalt saturated asbestos felts mopped solid and surfaced with asphalt or asphaltic compound. For inclines from ¼″ up to 9″ per foot.

Specification No. 27. (All Asbestos) over wood deck. 1-60 lb. asphalt saturated and coated asbestos felt and 2-15 lb. or 20 lb. asphalt saturated asbestos felts mopped solid and surfaced with asphalt or asphaltic compound. For inclines from ¼″ up to 9″ per foot.

Specification No. 28. (Combination) over non-combustible deck. 2 layers 14 lb. or 2-15 lb. asphalt saturated rag felt and 3 layers of 15 lb. or 3-20 lb. asphalt saturated asbestos felts, surfaced with asphalt or asphaltic compound. For inclines ¼″ up to 9″ per foot.

Specification No. 29. (All Asbestos) over non-combustible deck. 1-60 lb. asphalt saturated and coated asbestos felt and 2 layers of 15 lb. or 2-20 lb. asphalt saturated asbestos felts, all mopped solid and surface coated with asphalt or asphaltic compound. For inclines ¼″ up to 9″ per foot.

Specification No. 30. (Over insulation) over wood or non-combustible decks. 4 layers 15 lb. or 4-20 lb. asphalt saturated asbestos felts mopped solid and surfaced with asphalt or asphaltic compound. For inclines ¼″ up to 9″ per foot.

TEST NO. 8. Withdrawn temporarily.

TEST NO. 9. REROOFING SPECIFICATION TWO PLIES ASPHALT FELT AND SLAG OVER PRESENT EXISTING BUILT-UP ROOFS.

Specification No. 37. Asphalt and slag reroofing specification over old existing roof over wood sheathing composed of 2-14 lb. or 2-15 lb. asphalt saturated rag felts mopped solid over one layer of old existing roofing felts with asphalt. Top pouring of asphalt into which is embedded slag on the basis of 300 lbs. per 100 sq. ft. of roof area. For inclines ¼″ up to 3″ per foot.

The brand was consumed in 23 minutes, 42 seconds, consuming top ply with no effect on remaining plies or the combustible deck. (See photo marked "Test No. 9").

TEST NO. 10. REROOFING SPECIFICATIONS TWO PLY PITCH AND TARRED FELT WITH SLAG SURFACING OVER EXISTING BUILT-UP ROOFING.

Specification No. 38. Pitch and slag reroofing specification over old existing roof over wood sheathing composed of 2 plies of 14 lb. tarred saturated rag felt mopped solid over old roofing felts with pitch. Top pouring of pitch into which is embedded slag on the basis of 300 lbs. per 100 sq. ft. of roof area. For inclines ¼″ up to 2″ per foot.

The brand was consumed in 19 minutes, 20 seconds with no effect on the roofing. (See photo marked "Test No. 10").

TEST NO. 11. 34 LB. SHEET OVER OLD ROOFING.

Specification No. 39. 34 lb. Ruberoid Black & White Cap Sheet reroofing specification over old existing roofing felts over wood deck. 1-34 lb. Ruberoid Black & White Cap Sheet mopped solid over old roofing felts with asphalt. For inclines from ¼″ up to 3″ per foot.

The brand was consumed in 37 minutes, 37 seconds consuming all plies and charring the wood deck to a depth of 1/64 of an inch over an area 9 inches by 6 inches. (See photo marked "Test No. 11").

TEST NO. 12. 34 LB. CAP SHEET OVER OLD ROOF SURFACED WITH ASPHALT.

Specification No. 40. 34 lb. Ruberoid Black & White Cap Sheet reroofing specification with asphalt finish 1-34 lb. Ruberoid Black & White Cap Sheet mopped over old roofing with asphalt and surface coated with Ruberoid Asphalt, using not less than 25 lbs. per 100 sq. ft. For inclines from ¼″ up to 3″ per foot.

The brand was consumed in 22 minutes, 23 seconds consuming the cap sheet and old roofing felt with only a slight charring effect on the combustible deck. (See photo marked "Test No. 12").

TEST NO. 13. DUBL - COVERAGE MINERAL SURFACED OVER OLD ROOFING. REROOFING SPECIFICATION.

Specification No. 41. 19″ Ruberoid Dubl-Coverage Mineral Surfaced re-roofing specification over old existing roofing over wood deck, composed of 2 layers of Ruberoid Dubl-Coverage Mineral Surfaced Roofing 55 lb. per square per layer, mopped solid over old felts and cemented between laps with asphalt. For inclines from ¼″ up to 9″ per foot.

The brand was consumed in 16 min. 36 sec., consuming one ply (half double coverage) with no effect on old roofing felt or combustible decking. (See photo marked "Test No. 13").

TEST NO. 14. 75 LB. STA-SLATE MINERAL SURFACED ROOFING OVER EXISTING ROOFING. RE-ROOFING SPECIFICATION.

Specification No. 42. 75 lb. Sta-Slate Mineral Surfaced re-roofing specification over old existing roofing over wood deck, composed of 1-14 lb. or 15-lb. asphalt saturated rag felt mopped solid over old base felt and 1-75 lb. Sta-Slate Mineral Surfaced Roofing. For inclines up to 3″ per foot.

The brand was consumed in 19 min. 23 sec., consuming the mineral surfaced roofing and the 14 lb. asphalt felt with no effect on the old roofing or combustible deck. (See photo marked "Test No. 14").

TEST NO. 15. ASBESTOS RE-ROOFING SPECIFICATION.

Specification No. 43. Asbestos re-roofing specification over old existing roofing felts over wood deck. 2-15 lb. or 2-20 lb. asphalt saturated asbestos felts mopped solid over old felts and coated with a hot mopping of asphalt or asphaltic compound. For inclines from ¼″ up to 6″ per foot.

The brand was consumed in 17 min. 20 sec., slightly charring the top ply with no effect on the remaining ply, roofing felt, or combustible deck. (See photo marked "Test No. 15").

RUBEROID SHINGLES

TEST NO. 16. 11⅓ INCH BY 36 INCH HEXAGONAL SHINGLES.

Ruberoid 11⅓″ Hexagonal Shingles applied over ⅞″ wood sheathing on an incline of 4″ per foot or more.

The brand was consumed in 19 min. 45 sec., consuming top ply and slightly charring the combustible deck.

Similar materials of heavier construction or greater coverage and of other design or shape are manufactured as follows:

11⅓″ x 36″ Hexagonal Strip Shingles

Provides 2 layer construction over 76% of roof area
Average weight per square................ 167 lbs.
Strips per square........................ 86
Underwriters' Label "C"

12⅓″ x 36″ Hexagonal Strip Shingles

Provides 2 layer construction over 89% of roof area
Average weight per square............... 186 lbs.
Strips per square........................ 86
Underwriters' Label "C"

12″ x 36″ Hexagonal Strip Shingles

Provides double coverage over entire roof area
Average weight per square................ 215 lbs.
Strips per square........................ 100
Underwriters' Label "C"

13⅛″ x 36″ *Hexagonal Strip Shingles*

Provides 2 layer construction over 85% of roof area
Average weight per square............... 217 lbs.
Strips per square........................ 76
Underwriters' Label "C"

TEST NO. 17. 10 INCH BY 36 INCH SQUARE—TABS.

Ruberoid 10″ x 36″ Square-Tabs over ⅞″ wood sheathing. Incline 4″ per foot or more.

The brand was consumed in 18 minutes, consuming the top ply with no effect on the bottom ply or the combustible deck. (See photo marked "Test No. 17").

TEST NO. 17A. 11 INCH BY 33½ INCH OCTABS.

Ruberoid Octabs 11″ x 33½″ Mineral Surfaced Strip Shingles over ⅞″ wood sheathing. Incline 4″ per foot or more.

The brand was consumed in 19 min. 42 sec., consuming top ply with no effect on bottom ply and no charring effect on the combustible deck. (See photo marked "Test No. 17A").

Similar materials of heavier construction or greater coverage and of other design or shape are manufactured as follows:

12″ x 36″ Ruberoid Thick Butt Square-Tabs

Provides 2 layer construction over entire roof area, except when cut-out occurs.
Average weight per square................ 210 lbs.
Strips per square......................... 80
Underwriters' Label "C"

12″ x 36″ Ruberoid Massive Square-Tabs

Provides 2 layer construction over entire roof area.
Average weight per square................ 257 lbs.
Strips per square......................... 80
Underwriters' Label "C"

10″ x 36″ Ruberoid Square-Tabs

Provides 2 layer construction over entire roof area.
Average weight per square................ 210 lbs.
Strips per square......................... 100

12½″ x 36″ Square-Tabs

Provides 3 layer construction over entire roof area.
Average weight per square................ 266 lbs.
Strips per square......................... 100
Underwriters' Label "C"

12″ x 36″ Ruberoid Supertab Square-Tabs

Provides 2 layer construction over entire roof area.
Average weight per square............... 230 lbs.
Strips per square......................... 80
Underwriters' Label "C"

11″ x 33½″ Ruberoid Octabs

Provides 2 layer construction over entire roof area.
Average weight per square................ 195 lbs.
Strips per square......................... 108
Underwriters' Label "C"

9″ x 12¾″ Ruberoid Standard Units

4″ weather exposure, provides 3 layer construction over entire roof area.
Average weight per square................ 253 lbs.
Shingles per square...................... 380
Underwriters' Label "C"

12″ x 16″ Ruberoid Massive Units

5″ weather exposure, provides 3 layer construction over entire roof area.
Average weight per square................ 325 lbs.
Shingles per square...................... 226
Underwriters' Label "C"

TEST NO. 18. 16″ x 16″ IMPROVED REROOFERS (with 1 layer of 15 lb. asphalt saturated rag felt).

Ruberoid Improved Reroofers 16″ x 16″ Mineral Surfaced Shingles applied over ⅞″ wood sheathing, with 1 layer 15 lb. asphalt saturated rag felt and Improved Reroofers 16″ x 16″. Incline 4″ per foot or more.

The brand was consumed in 20 minutes, 55 seconds, consuming all plies but with no charring effect in the combustible deck.

Similar materials of heavier construction or greater coverage and of other design or shape are manufactured as follows:

16″ x 16″ Ruberoid Improved Reroofers

Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 130 lbs.
Shingles per square...................... 79
Underwriters' Label "C"

16" *x* 19¼" *Ruberoid Giant Tee-Loks*

Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 224 lbs.
Shingles per square........................ 144
Underwriters' Label "C"

18½" *x* 20" *Ruberoid Tite-Ons*

Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 160 lbs.
Shingles per square........................ 96
Underwriters' Label "C"

13" *x* 15⅝" *Ruberoid Side-Locks*

Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 142 lbs.
Shingles per square........................ 105
Underwriters' Label "C"

18" *x* 13¼" *Ruberoid Dutchloks*

Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 148 lbs.
Shingles per square........................ 104
Underwriters' Label "C"

12" *x* 16" *Ruberoid Dutch Laps*

Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 162 lbs.
Shingles per square........................ 112
Underwriters' Label "C"

16" *x* 16" *Ruberoid Clipfast Hexagonal Re-Roofer*

Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 138 lbs.
Shingles per square........................ 82
Underwriters' Label "C"

30" *x* 36" *Ruberoid Lock-Down Hex Strips.*

Provides 2 layer construction 50% of roof area and 1 layer construction remainder of roof area.
Average weight per square................ 180 lbs.
Strips per square........................ 50
Underwriters' Label "C"

TEST NO. 19. 16-INCH BY 16-INCH HEXAGONAL RIGID ASBESTOS SHINGLES

Ruberoid 16" x 16" Hexagonal Rigid Asbestos Shingles applied over ⅞" wood sheathing and provided with 6-lbs. Slaters' Felt between the board sheathing and Rigid Asbestos Shingles for new work. Where this material is applied over old roofs, the protection felt is not required. Inclines 4" per foot or more.

The brand was consumed in 22 min. 10 sec., cracking the asbestos shingles through the centre. Heat penetrating through consumed the 6-lb. Slaters' felt and charred the combustible deck slightly over an area of four square inches. Other rigid asbestos shingles are also manufactured similar to the tested specimen but differing in design or shape with the specifications as follows:

16" *x* 16" *Ruberoid Hexagonal Rigid Asbestos Shingles.*

Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 265 lbs.
Shingles per square........................ 86
Underwriters Label "B"

16" *x* 16" *Ruberoid Dutch Lap Timbertex Asbestos Shingles.*

Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 280 lbs.
Shingles per square........................ 92
Underwriters Label "B"

8" *x* 16" *Ruberoid Tapered Timbertex Rigid Asbestos Shingles.*

Provides 2 layer construction over entire roof area.
Average weight per square................ 525 lbs
Shingles per square........................ 260
Underwriters' Label "A"

12" *x* 16" *Ruberoid Tapered Gothic Rigid Asbestos Shingles.*

Provides 2 layer construction over entire roof area
Average weight per square................ 525 lbs
Shingles per square........................ 171
Underwriters' Label "A"

As a result of these tests the Committee recommends approval under C26-680 A.C. (10.12.11.1 BC) and Group 16, Art. 2 A.C. Titled "Fire Resistive Construction" (10.1.16 B.C.) of the Ruberoid roofings as listed herein under the following conditions. *Slag or Gravel Surfaced Roofing*—Wherever these roofings are applied they shall be protected with three (3) pounds of Slag or four (4) pounds of graded gravel (screened ¼ to ⅝) per square foot of roofing and imbedded in a pouring of asphalt or tar. Where promenades are provided over these roofings, they shall be protected by either quarried slate or ceramic tile, not less than 6" x 6 x ¼" firmly imbedded in asphalt, tar or Portland cement mortar, which construction may be used in lieu of slag or gravel surfacing.

SHINGLES

Approval is recommended on all classes of shingles listed herein, except that Test No. 18, 16" x 16" IMPROVED REROOFERS may be used on new roofs provided that at least one ply of 14-lb. saturated asphalt rag felt is used as a base course. In all cases, however the use of the shingles is limited to roofing or reroofing of *frame* residential construction.

GENERAL

Approval of all these roofings is recommended on condition that the weight, thickness and plies of material *shall not be less* for any group than that specified for the specimen tested.

Nothing herein contained shall preclude the use of additional plies of saturated rag felt, provided that the total weight of the plies used shall be *more* than that approved for any specification tested herein. These roofings may be applied to either combustible or noncombustible decks.

It is also recommended that this roofing material when used in New York City shall have each package or roll clearly marked or labelled "Approved for use in New York City by the Board of Standards and Appeals, when installed in accordance with these specifications under Cal. No. 733-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner
CHARLES M. BLUM,
Commissioner
LESLIE V. HUBER,
Chief Engineer

Resolved, that the Board of Standards and Appeals do hereby *approve* the material known as Ruberoid Built-up Roofing, Asphalt Shingles and Asbestos Shingles, when manufactured, installed and labelled in accordance with the above report.

Adjourned, 5:15 P. M. to October 19, 1938, at 10 A. M.
Reconvened October 19, 1938, adjourned October 19, 1938, 11:30 A. M.

EDWARD V. BARTON, Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, September 20, 1938, as they appeared in Bulletin No. 39, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

MINUTES

(284-36-BZ)

WHEREAS, W. T. McCarthy, for House of St. Giles the Cripple, owner, filed September 22, 1936, an application under the building zone resolution to permit partly in a "C" area district and partly in an "E" area district the alteration and extension in height of an existing hospital building and the erection of additions thereto to occupy a greater area than permitted by the building zone resolution, affecting premises 1342-1350 President street and 335-343 Brooklyn avenue, southeast corner (Block No. 1285, Lot No. 7), Borough of Brooklyn; and

WHEREAS, this application was granted by the board October 23, 1936 on certain conditions and applicant requested an amendment of this resolution; and

WHEREAS, this application was reopened by vote of the board July 8, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, September 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the building zone resolution show that President street is in a residence use and "E" area district; Brooklyn avenue is in a residence use, "E," "B" and "C" area district; and Carroll street is in a residence use and "C" area district; and

WHEREAS, the decision of the borough superintendent of buildings, dated July 6, 1938 re Alt. Permit No. 6058-38 and Amt. App. No. 9616-1938, reads:

"1. Original resolution of the Board of Standards and Appeals limited extension of the Brooklyn avenue side to 2-story and basement structure.

2. Vestibule as shown on plans is encroaching on the 10 ft. setback required in a residential "E" district.

3. Solarium on roof of new extension is not shown on plans filed with the board.

Above amendment application is hereby denied."

and

WHEREAS, the premises consist of a plot of ground, located in an "E" area and in a "C" area district, having a frontage of 100 ft. on President street and 124 ft. 7 in. on Brooklyn avenue, an area of approximately 12,460 sq. ft. There is located upon the plot a 3-story and attic building 92 ft. 1 in. by 40 ft. 7 in. in area, occupied as a hospital; and

WHEREAS, it is proposed to erect an additional (3rd) story on the westerly wing of the building, said 2-story and basement wing previously granted by the board on October 23, 1936. It is proposed to erect upon the roof of the 3rd story a glass enclosure to be used as a solarium. It is proposed to omit the erection of the (granted) 4th story on the main building. It is proposed, also, to erect upon Brooklyn avenue side of the new wing (and also within the required 10 ft. setback) a vestibule 8 ft. 4 in. by 7 ft. 8 in. in area. This vestibule extends for a distance of one foot into the "C" area district; the remainder (7 ft. 4 in.) is in the "E" area district; said vestibule sets back 2 ft. 4 in. from the building line.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 23, 1936, *on the condition* that the building is not extended further in area or height than as shown on the revised plans filed July 6 and September 14, 1938, and except that in place of the iron railings shown on the roof *on top of the south property line wall, that the wall itself shall be carried up to the height of and in place of* the railing; and that all permits shall be obtained and all work completed within one year from the date of this amended resolution.

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*Correction—The words *"toward the south to enclose the solarium where parallel to the rear lot line, a brick wall shall be constructed of the same height as"* omitted in lines 62, 63 and 64 of resolution and the words *"on top of the south property line wall, that the wall itself shall be carried up to the height of and in place of"* inserted therefor.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Friday, July 22, 1938, as they appeared in Bulletin No. 30, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(631-38-A)

WHEREAS, John F. Meehan, for Sinclair Refining Company, owner, filed on July 15, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 6021-6031 Strickland avenue, north side, 1352 ft. 3½ in. west of Mill avenue (Block No. 8470, Lot No. 1059), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent, No. 9717-38, dated July 12, 1938, reads:

"1. Distances of proposed tanks from each other, from adjoining property and level of top of tanks relative to grade to comply with Section C-19-50.e of Administrative Code for the City of New York."

and

WHEREAS, the premises consist of a one-story building, 14 ft. by 32 ft. in area, 15 ft. high, on a plot 95 ft. by 520 ft. 2⅛ in. in area, occupied as a bulk refining plant. It is proposed to erect two (2) new 100,000 gallon fuel oil tanks, to be enclosed in 12 inch concrete dike walls, 15 ft. high; and

WHEREAS, the applicant contends that the premises are in an undetermined district; that a modification is requested, relating to the distance between tanks and distance from adjoining property lines and the level of the top of the tanks relative to the grade; that all safety devices and fire extinguishing systems required, will be provided.

Resolved, that the decision of the Borough Superintendent, in acting on App. No. 9717-38, be and it hereby is *modified,* and that the appeal be and it hereby is *granted,* waiving the requirements of the Administrative Code and the Oil Burner Rules of the Board of Standards and Appeals, requiring the burying of tanks, *on condition* that in all other respects, the requirements shall be complied with; that the proposed dike wall on the easterly lot line shall be extended for the same height and the same construction to the southeasterly corner of the garage building; that any windows, on or about the lot line in the rear of the existing garage building within a distance of thirty feet from any portion of the dike enclosure of the Gulf Refining Company on the adjoining property to the east, shall be permanently fastened so as to be unopenable; that these windows shall have fireproof frames, glazed with wire glass; that a duplicate *foam* equipment shall be installed, if the Fire Commissioner so requires.

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*Correction—The word "Foamite" omitted in the next to the last line in the resolution and the word *"foam"* inserted therefor.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, September 27, 1938, as they appeared in Bulletin No. 40, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(734-38-SA)

WHEREAS, Charles W. Moore, owner, filed August 23, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Moore Water Closet Floor Flange and Gasket; and

WHEREAS, this device was submitted to the committee on tests for report; and

WHEREAS, the report of the committee on tests reads as follows:

REPORT OF COMMITTEE ON TESTS

MINUTES

Re: Cal. No. 734-38-SA.
Approval of: Moore Water Closet Floor Flange and Gasket.

This device consists of a cast brass flange which is bolted to the fixture with a recess in the flange in which is placed a grease saturated felt gasket. The weight of the fixture and pressure of the bolt, compresses the gasket ⅓ and seals the joints completely by forcing out the grease around the joint. This device was accepted by the Bureau of Buildings, Manhattan, Rudolph P. Miller, superintendent, September 29, 1921, and by the Bureau of Buildings, Brooklyn, Albert E. Kleinert, superintendent, September 21, 1928. It is recommended that the Moore Water Closet Floor Flange and Gasket be approved for use in New York City, as complying with the provisions section (14.4.9 BC) C 26-1250.0 of the Administrative Code, on condition that the device bear a label reading "Approved by the Board of Standards and Appeals for Use in New York City, under Cal. No. 734-38-SA" *and that the use of the Moore grease saturated felt gasket, with any approved water closet flange, should be permitted.*

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Moore Water Closet Floor Flange and Gasket, when installed and labeled in accordance with above report.

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* Correction—The words *"and that the use of the Moore grease saturated felt gasket, with any approved water closet flange, should be permitted"* inserted in line 29 of resolution

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals, August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and he shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:—

(a) Factories engaged in the manufacture of cigars cigarettes, or smoking tobacco, when necessary for th efficient conduct of the business, provided that:

(1) No smoking other than that for sampling testing and experimental purposes is carried on

(2) Such smoking is conducted in a roon provided especially for that purpose, separate from the rest of the building by fireproof o fire-resisting partitions, with all openings therei protected by self-closing fire doors, and, further unless the building is of fireproof constructio or equipped with an approved automatic sprink ler system, the floor and ceiling of such roon shall be covered with fire-retarding material.

(3) Such chemical fire extinguishers as th administrative official may direct are installed.

(4) All waste paper and other inflammabl waste materials are deposited in fireproof re ceptacles.

(b) Factories devoted entirely to one of the followin occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden constru tion;

(2) Such chemical fire extinguishers as th administrative official may direct are installed;

(3) All waste paper and other inflammabl waste materials are deposited in fireproof r ceptacles.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing an Buildings on Fire Retarding, Fire Escapes, Fire Stairs an Fire Towers are now on sale at the Distribution Divisio of the City Record Office, Room 2213, Municipal Buil ing, Manhattan. Price 10c; by mail 12c.

PUBLIC HEARING

PROPOSED RULES RELATIVE TO SUBMERGED INLETS AND PROTECTIVE METHODS TO BE APPLIED TO PREVENT CONTAMINATION OF WATER SUPPLY.

(835-38-SR)

NOTICE IS HEREBY GIVEN that a public hearing will be held by the Board of Standards and Appeals on Friday, October 28, 1938, at 10 a.m., Room 1013, Municipal Building, on Proposed Rules relative to Submerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply, Supplementing Sections 14-1-3 and 14-8-2-8, of the Building Code.

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraphs 2 and 3, of the Charter of the City of New York and C26-1268.0c 4 (14.7.1.3 *BC) and* C26-1277.0h (14.8.2.8 *BC), of the Administrative Code.*

Rule 1. Flush-Valve Fixtures.

Flush-valve controlled fixtures, with submerged inlets supplied directly from the City Water Supply System (and not supplied from separate riser and tank), shall be equipped with an approved vacuum breaker in the supply line nit less than four inches above the overflow level of the fixture, to prevent siphonage or backflow of contaminated water into the house water distribution piping.

Rule 2. Ballcocks.

Flush tanks operated by ballcocks shall have an approved vacuum breaker located not less than one-half inch above the overflow outlet of the flush tank.

Rule 3. Submerged Inlets.

Water supply inlets to fixtures shall be located at least one inch above the overflow level of the fixture, except when submerged inlets are absolutely essential for the proper functioning of a fixture.

Rule 4. Sterilizers.

Direct water supply piping connections to sterilizers are prohibited. The waste piping for sterilizers shall not connect directly with any drainage system; such waste piping shall discharge above an open, water supplied, trapped and vented fixture.

Rule 5. Aspirators—Water Siphons.

Water supply connections to aspirators, water siphons or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the check valve to be located between the fixture and vacuum breaker. The waste pipe for this type of apparatus shall not connect directly with any drainage system but shall discharge above an open, water supplied, trapped and vented fixture.

Rule 6. Bidets—Bed Pan Washers.

Water supply connections to bidets, bed pan washers, or similar apparatus shall be equipped with an approved vacuum breaker and check valve, the latter located between the fixture and the vacuum breaker.

Rule 7. Roof or Suction Tanks.

Water supply inlets to roof or suction tanks shall be located at least two inches above the overflow level of the tank.

Rule 8. Sump or Well Pumps.

Water supply connections for priming purposes to sump, well, or similar type pumps shall be connected to the inlet side of the pump and be equipped with an approved vacuum breaker and check valve, the check valve to be located between the pump and the vacuum breaker.

Rule 9. Condensers.

Direct water connection to refrigeration unit for cooling purposes shall be equipped with an approved check valve to prevent possible back flow of ammonia or other refrigerant agency from defective condenser coils or jackets, except in such installations where the water supply piping is entirely outside of the piping or tank containing the refrigerant and two independent wall thicknesses of metal separate the refrigerant from the city water supply. Refrigeration units containing more than twenty pounds of refrigerant shall be provided with an additional safeguard in the form of an approved relief valve installed at the outlet side of the check valve, such relief valve being set at five pounds above the maximum water pressure at the point of installation.

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Name	*Calendar No.*
banks Company	81-20-SA
worth Company	899-27-SA
. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
er National Fire Prev. Eng. Co.	304-28-SA
ins Brothers	779-28-SA
D. Allen Mfg. Co.	890-28-SA
Simmons Co.	209-29-SA
nell	651-30-SA
art	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

Name	*Calendar No.*
New York Brass Foundry Co. (Stillbech)	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

THIRD QUARTERLY REPORT

CITY OF NEW YORK

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, CHAIRMAN

MUNICIPAL BUILDING

October 25, 1938.

Hon. Fiorello H. La Guardia,
Mayor of The City of New York,
City Hall, New York City.

DEAR SIR:

I have the honor to submit to you the Third Quarterly Report of the Board of Standards and Appeals for the year 1938. This report is being submitted to you in accordance with the provisions of the Charter, Section 892 and will also be printed in the Bulletin of the Board.

CASES FILED AND PENDING 1938

Filed 1938	A	BZ	S	SA	SM	SR	M'L	T'L	GR.T'L
JANUARY	16	24	7	4	3	1	50	105	..
Restored	0	10	0	1	0	0	0	11	116
FEBRUARY	37	17	4	6	4	0	61	129	..
Restored	1	4	0	0	0	0	0	5	134
MARCH	38	21	6	15	13	0	56	149	..
Restored	0	9	0	3	0	0	0	12	161
APRIL	51	17	7	8	17	0	70	170	..
Restored	1	10	0	1	0	0	0	12	182
MAY	56	31	1	14	11	0	64	177	..
Restored	0	7	0	0	0	0	0	7	184
JUNE	76	20	6	11	18	0	62	193	..
Restored	1	9	0	1	0	0	0	11	204
JULY	67	20	5	16	14	0	57	179	..
Restored	1	6	1	2	0	0	0	10	189
AUGUST	34	23	1	12	8	0	15	93	..
Restored	0	3	0	0	0	0	0	3	96
SEPTEMBER	34	22	2	4	12	1	35	110	..
Restored	0	3	0	3	0	0	0	6	116
TOTAL	413	256	40	101	100	2	470	1,382	1,382
PENDING Dec. 31, 1937...	59	183	12	68	2	2	0	326	326
GRAND TOTAL .	472	439	52	169	102	4	470	1,708	1,708
DISPOSITION 1938									
JANUARY	47	23	11	5	0	0	50	136	..
FEBRUARY	29	28	6	7	0	1	61	132	..
MARCH	43	46	5	5	1	0	56	156	424
APRIL	38	30	6	8	5	0	70	157	..
MAY	49	34	6	5	3	0	64	161	..
JUNE	88	39	3	10	7	0	62	209	527
JULY	71	42	9	17	16	0	57	212	..
AUGUST	11	1	1	0	0	0	15	28	..
SEPTEMBER	32	18	4	7	4	0	35	100	340
TOTAL	408	261	51	64	36	1	470	1,291	1,291
PENDING Sept. 30, 1938..	64	178	1	105	66	3	0	417	417

Code: A—Appeals from Administrative Orders. BZ—Applications under Building Zone Resolution. S—Applications for Variations Labor Law. SA—Applications for Approval of Appliances. SM—Applications for Approval of Materials. SR—Applications for Ado tion of Rules. M'L—Miscellaneous Docket.

THIRD QUARTERLY REPORT

SUMMARY

DOCKET

Cases pending December 31, 1937	326
Cases filed up to September 30, 1938	835
Restored to Calendar	77

Miscellaneous Applications

Requests to reopen	279
Requests to amend	122
Requests to rescind	6
Requests for extension of time	35
Requests for extension of permit	25
Requests for approval of plans	3
Administrative requests	0
Requests for interpretation	0
Total	1,708
Disposed of	1,291
Cases pending September 30, 1938	417

DISPOSITION OF CASES

Withdrawn	80
Dismissed	12
Denied	106
Granted	17
Granted on condition	505
Appliances approved	59
Appliances dismissed, disapproved or withdrawn	5
Materials approved	36
Rules approved	1
Rules disapproved, rescinded or withdrawn	0

Miscellaneous Actions

Requests to reopen granted	265
Requests to reopen denied	4
Requests to amend granted	122
Requests to amend denied	0
Requests to rescind granted	6
Requests to rescind denied	0
Requests for extension of time granted	35
Requests for extension of time denied	0
Requests for extension of permit granted	25
Requests for extension of permit denied	0
Plans approved	3
Plans disapproved	0
Administrative requests granted	0
Administrative requests denied or withdrawn	0
Interpretations	0
Requests withdrawn or dismissed	10
Total	1,291

MONEYS RECEIVED

SUBSCRIPTIONS	JULY	AUG.	SEPT.	TOTAL	1st QUAR.	2d QUAR.	GR. T'L.
To Bulletin	$55.00	$35.00	$60.00	$150.00	$222.50	$257.50	$630.00
Cash Sales	24.72	30.40	27.94	83.06	111.30	95.26	289.62
Paid to City Treasurer	$79.72	$65.40	$87.94	$233.06	$333.80	$352.76	$919.62

EDWARD V. BARTON, *Chief Clerk.*

HARRIS H. MURDOCK, *Chairman.*

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendency of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths (7/8) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half (2½) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth (¼) of one (1) per cent of steel mesh;

(b) Two and one-half (2½) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half (½) inch plaster boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter (¼) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pound per square yard, attached to furring strips and plastere with Portland cement mortar at least three-quarter (¾) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat

Rule 6. Openings in Fire-Retarding Floors. Pipe or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and column in non-fireproof buildings required to be fire-retarded shal be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the material accepted in fireproof construction; except that an air spac shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall b jacketed to a height of five (5) feet from the ground wit No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with th fire-retarding materials specified for ceiling coverings i these rules, or with any of the materials acceptable in fire proof construction; except that an air space need not b provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways an vertical shafts in non-fireproof business buildings hereafte converted to be used as garages, motor vehicle repair shop or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, th space between the floor beams shall be fire-stopped wit incombustible materials. All openings in such partition shall be protected with accepted metal-covered fire door or windows. Wherever necessary for protection agains mechanical injury, the partition shall be jacketed to a heigh of five (5) feet on the garage side with No. 4 U. S. gaug metal. Any one of the following forms of partitions sha be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not mor than sixteen (16) inches on centers, covered both side with metal lath weighing not less than three pounds pe square yard, attached to furring strips and plastere with Portland cement mortar at least three-quarte (¾) of an inch thick;

(b) Two by four inch wood studs placed not mor than sixteen (16) inches on centers, covered both side with seven-eighths (7/8) inch wood sheathing, one-ha (½) inch plaster boards with pointed joints and No. 2 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not mor than sixteen (16) inches on centers, covered both side with seven-eighths (7/8) inch wood sheathing, tw thicknesses of one-quarter (¼) inch asbestos boarc laid with tight staggered joints and jacketed with N 16 U. S. gauge metal on the garage side to a height c five (5) feet;

(d) Two by four inch wood studs spaced not mor than sixteen (16) inches on centers, filled in solidl between the studs with four inches of approved fir proof materials and covered on both sides with No. 2 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitio covered on the garage side with No. 26 U. S. gaug sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. MCELLIGOTT
EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Court Decision.

Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting, October 25, 1938, at 10 A. M., Affecting Calendar Numbers 554-37-BZ, 604-37-BZ, 456-37-BZ, 490-37-BZ, 602-37-BZ, 428-38-BZ, 570-38-BZ and 629-38-BZ.

Minutes of Regular Meeting, October 25, 1938, at 2 P. M., Affecting Calendar Numbers 624-26-BZ, 731-38-BZ, 411-37-BZ, 421-37-BZ, 531-37-BZ, 614-37-BZ, 461-37-BZ, 666-38-BZ, 371-29-BZ, 271-37-BZ, 832-38-A, 907-38-A, 918-38-A, 651-38-A, 786-38-A, 836-38-A, 878-38-A, 894-38-A, 897-38-A, 915-38-A, 919-38-A and 329-34-SA.

Minutes of Special Meeting, October 28, 1938, at 10 A. M., Affecting Calendar Numbers 835-38-SR, 850-38-A, 851-38-A, 852-38-A, 853-38-A, 854-38-A, 855-38-A and 856-38-A.

Smoking in Factory, Rules.

Rules for Fusion Welding and Gas Cutting.

Approved Fireline Hose Valves.

Approved Fuel Oil Fill Pipe Terminals.

Fire Retarding Rules for Garages, etc.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to October 25, 1938

Cal. No. — *Department* — *Premises Affected*

903-38-BZ.....H.B.B.....3066-3076 West 23rd street, northwest corner of Riegelman Boardwalk and 3031 West 24th street (Block 7070, Lots 155, 170, 171, 172, 173 and part of Lot 145), Borough of Brooklyn, Applic. 634-38.

904-38-BZ.....H.B.Q.....89-11 168th place, east side, 100 ft. south of 89th avenue (Block 9801, Lots 46 and 47), Jamaica, Borough of Queens, N.B. 7835-38.

905-38-SM.....Citadur Brand Aluminate Cement manufactured by Hungarian General Colliery Co., Ltd., Material.

906-38-SM.....Salonit Brand Asbestos Cement Corrugated and Flat Sheets and Shingles, manufactured by Spalato Portland Cement Co., Material.

907-38-A.....F.D.....Transportation of liquid asphalt in semi-trailer in New York City, (truck not of approved type), 14228-L.C.

908-38-BZ.....H.B.Q.....110-44 to 110-56 Springfield boulevard and 216-39 to 216-49 111th avenue, northwest corner (Block 2038, Lots 31 and 33), Queens Village, Borough of Queens, N.B. 7871-38.

909-38-A.....F.D.....158 Ninth street, south side, 295 ft. 9 in. east of Second avenue (Block 1008, Lot 22), Borough of Brooklyn, 76663-L.C.

910-38-S.....F.D.....1443-1451 39th street, north side, 310 ft. east of 14th avenue (Block 5347, Lot 58), Borough of Brooklyn, 269-L.F. and Decision.

911-38-S.....H.B.M.....469 Seventh avenue, southeast corner of West 36th street (Block 811, Lot 68), Borough of Manhattan, Viol. 4109-38 and Decision.

912-38-A.....H.B.B.....407-411 Oakland street, west side, 25 ft. north of Clay street (Block 2483, Lot 37), Borough of Brooklyn, Applic. 13907-38.

913-38-BZ.....H.B.Q.....80-02 Kew Gardens road, south side, from 80th road to Union Turnpike (Block 3348, part of Lot 37), Kew Gardens, Borough of Queens, N.B. 5643-38.

914-38-A.....F.D.....159 West 23rd street, north sid 175 ft. east of Seventh avenu (Block 799, Lot 11), Boroug of Manhattan, 13515-C and Decisio

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915-38-A.....H.B.Q.....14-60 Utopia parkway, west sid 80 ft. north of 14th roa (Block 4615, Lot 13), Beech hurst, Borough of Queens, Alt. 7923-3

916-38-A.....H.B.M.....696-702 Broadway, northeast co ner of East Fourth stre (Block 545, Lot 1), Boroug of Manhattan, Viol. 1988-38 and Decisio

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917-38-A.....F.D.....163-34 to 163-40 Jamaica avenu south side, 307.30 ft. east c New York boulevard (Bloc 1167, Lot No. 1), Jamaic Borough of Queens, 983-L.F. and Decisio

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918-38-A.....H.B.M.....523 West 142nd street, nort side, 204 ft. west of Hamilto place (Block 2074, Lot 16 Borough of Manhattan, Alt. 1961-3

919-38-A.....H.B.Bx.....2082 Crotona avenue, east sid 50 ft. south of East 180 street (Block 3095, Lot 24 Borough of The Bronx, Decisio

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920-38-BZ.....H.B.Q.....139-21 Springfield boulevar northeast corner of 140th av nue (Block 3746, Lot 1 Springfield, Borough Queens, Applic. 6893-3

921-38-BZ.....H.B.Q.....Southwest corner of Hora Harding (Nassau) boulevar and Colonial avenue (Bloc 2161, Lots 115 and 118), Co ona, Borough of Queens, N.B. 7477-3

DESIGNATIONS: H.B.—Department of Housing and Buil ings; **H.B.B.**—Department of Housing and Buildings, Brookly **H.B.M.**—Department of Housing and Buildings, Manhatta **H.B.Q.**—Department of Housing and Buildings, Queen **H.B.R.**—Department of Housing and Buildings, Richmon **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.** Health Department and **F.D.**—Fire Department.

COURT DECISION

Matter of Rubel Corporation vs. Murdock—March 27, 1934, Boa denied request to reopen application for gasoline stati previously denied, under section 21, in business distri on alleged new facts, or to accept new case. Cal. N 272-30-BZ, Premises 923-943 East New York avenue, 44 Utica avenue, and 872-884 Lefferts avenue, Brooklyn. M Justice Dodd reversed Board on recommendation of R eree. Appellate Division remitted matter to Board f rehearing (N. Y. L. J. July 2, 1935). On rehearin application was again denied by Board. Mr. Justice C remitted matter for further hearing (N. Y. L. J. Augu 1, 1936). Board again denied Application. Mr. Justi Conway referred matter to Official Referee (N. Y. L. August 13, 1937). Mr. Justice Conway confirmed Refere Report (N. Y. L. J. December 9, 1937) and granted co ditional permit to be co-existent with the ownership a operation of the ice plant. Appellate Division (N. Y. L. October 28, 1938) reversed Special Term on the law a the facts, dismissed the certiorari and reinstated and co

CALENDAR

firmed the determination of the Board of Standards and Appeals, stating:

"(1) The hearing before the Board disclosed a conflict of fact on the issue of unnecessary hardship, the resolving of which against the petitioner may not be said to have been improvident. To hold otherwise would be to substitute a court's discretion for that of the Board, to whom the statute has given the power to act. The petitioner had an adequate opportunity to adduce all its evidence on the hearing before the Board, and the appointment of a Referee in effect to try the issue of 'unnecessary hardship' *de novo* was not warranted in view of the opportunities available to petitioner before the Board. (People ex rel. St. Albans Corp. v. Connell, 257 N. Y., 73, 81). The situation was not one where a reference was needful to clarify the condition and to determine whether or not the Board had acted arbitrarily and abused its discretion. The effect of the reference was to enable the referee to exercise his discretion in the place of the Board upon evidence adduced before the referee, which evidence was not in that form offered to the Board. Moreover, even on the showing before the referee there was presented a fair question of fact that would have warranted the Board, if it had had that showing before it, in resolving the question of fact against the petitioner.

(2) The Board did not pass upon the effect of an increase of traffic hazard arising as a consequence of a granting of petitioner's application for a non-conforming use in the form of a gasoline station. The Board's action, therefore, cannot be sustained on a ground it never advanced to sustain its determination. It merely considered traffic hazard from another angle, to wit: the petitioner's assertion that a conforming use would increase the traffic hazard; the Board ruling that a conforming use would not have such effect.

(3) The showing amply sustains the Board's view that this property can be utilized for a conforming use. There is a steady wave of improvement of property on a conforming use basis from the north of the parcel involved down to and beyond the streets upon which the petitioner's parcel is located."

RULES

	Last Publication in Bulletin
n Dioxide Liquefier Rules	Oct. 4, 1938—Vol. 23, No. 40
icate of Occupancy, approved orm	Aug. 23, 1938—Vol. 23, No. 34
ete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
ete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
or Rules	Mar. 3, 1936—Vol. 21, No. 9
Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
y Exit Rules	Sept. 13, 1938—Vol. 23, No. 37
Alarm Rules (Interior)	Oct. 4, 1938—Vol. 23, No. 40
Drill Rules	Aug. 9, 1938—Vol. 23, No. 32
Retarding Rules for Garages, c.	Nov. 1, 1938—Vol. 23, No. 44
oof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Welding and Gas Cutting ules	Nov. 1, 1938—Vol. 23, No. 44
hut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
way Protection	June 5, 1928—Vol. 13, No. 23
urner Rules	Aug. 30, 1938—Vol. 23, No. 35
Varnish and Lacquer Spray-g Rules	Sept. 13, 1938—Vol. 23, No. 37
rm Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
ing Rules	Aug. 3, 1937—Vol. 22, No. 31
lure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
erating Systems, Extract C.O.	Sept. 27, 1938—Vol. 23, No. 39
ng in Factories, Rules for	Nov. 1, 1938—Vol. 23, No. 44
ler Rules	June 29, 1937—Vol. 22, No. 26
ipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
ural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Glass Rules (Amendment to ule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

phon Valves	Mar. 5, 1935—Vol. 20, No. 10
e Hose Valves	Nov. 1, 1938—Vol. 23, No. 44
il Burners for Domestic and mmercial Use	Aug. 30, 1938—Vol. 23, No. 35
il Fill Pipe Terminals	Nov. 1, 1938—Vol. 23, No. 44
il Burners for Industrial Use	Aug. 30, 1938—Vol. 23, No. 35
il Pumps	Aug. 30, 1938—Vol. 23, No. 35
Varnish and Lacquer Spray-Equipment	Sept. 13, 1938—Vol. 23, No. 37
Oil Burners and Space aters	Aug. 9, 1938—Vol. 23, No. 32

NOVEMBER 1, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November* 1, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 552-38-BZ—Application, June 28, 1938, under section 21 of the building zone resolution, of W. J. Cherry, applicant, on behalf of Antur Holding Corporation, owner, to permit partly in an unrestricted use district and partly in a residence use district and also "B" area district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also the omission of the required rear yard; premises 777 Sheridan avenue, west side, 152.59 ft. north of East 156th street (Block No. 2458, Lot No. 124), Borough of The Bronx.

CAL. NO. 509-38-BZ—Application, June 20, 1938, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Tidewater Associated Oil Company, owner, to permit partly in a business use district and partly in a residence use district the demolition of an existing building and the erection of a new building to be used as an office and lubritorium in connection with an existing gasoline service station; premises 202-01 Rocky Hill road, northeast corner of 202nd street (Block No. 5561, Lot Nos. 10, 13 and 62), Bayside, Borough of Queens.

CAL. NO. 480-38-BZ—Application, June 10, 1938, under section 7h of the building zone resolution, of Joseph Lau, applicant, on behalf of Henry C. Schooff, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 41-43 Snyder avenue, north side, 150 ft. west of Bedford avenue (Block No. 5103, Lot No. 91), Borough of Brooklyn.

CAL. NO. 554-37-BZ—Application, November 23, 1937, under section 7h of the building zone resolution, of Smith and Weber, applicants and lessees, on behalf of Board of Transportation, City of New York, owner, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 896-908 Eighth avenue, 260-266 West 54th street, southeast corner and 255 West 53rd street (Block No. 1025, Lot No. 3), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 1, 1938, 2 P. M.

Appeals from Administrative Orders

766-38-A—402-412 Bleecker street and 291 West 11th

CALENDAR

street, northwest corner (Block No. 623, Lot Nos. 8-10), Borough of Manhattan.

841-38-A—50 Bond street, north side, 131.9 ft. west of Bowery (Block No. 530, Lot No. 43), Borough of Manhattan.

768-38-A—536-540 West 46th street, south side, 275 ft. east of 11th avenue (Block No. 1074, Lot No. 49), Borough of Manhattan.

807-38-A—529-533 Fifth avenue, northeast corner 14th street (Block No. 1035, Lot No. 1), Borough of Brooklyn.

868-38-A—1585 Pitkin avenue, north side, 53 ft. west of Amboy street (Block No. 3495, Lot No. 36), Borough of Brooklyn.

832-38-A—South side of Eliot avenue, 626 ft., 644 ft. and 667 ft. west of 84th street (Block No. 2941, Lot No. 1), Elmhurst, Borough of Queens.

918-38-A—523 West 142nd street, north side, 204 ft. west of Hamilton place (Block No. 2074, Lot No. 16), Borough of Manhattan.

899-38-A—35 Midland road, east side (Block No. 3127, Lot No. 11), Great Kills, Borough of Richmond.

721-38-A—46 West 21st street, south side, 275 ft. east of Sixth avenue (Block No. 822, Lot No. 66), Borough of Manhattan.

926-38-A—East side of 10th avenue, between West 215th street and West 216th street, 427 West 215th street (Block No. 2212, part of Lot No. 1), Borough of Manhattan.

945-38-A—1302 Elder avenue and 1521 East 172nd street, northeast corner (Block No. 3863, Lot No. 8), Borough of The Bronx.

948-38-A—120-08, 120-12 and 120-16 135th avenue, 40 ft., 80 ft. and 120 ft. east of 120th street (Block No. 2637, Lot Nos. 35 to 39, inclusive), Jamaica, Borough of Queens.

949-38-A—120-03, 120-07, 120-09, 120-13, 120-17 and 120-21 135th avenue, north side, from 120th street to 121st street (Block No. 2584, Lot Nos. 1, 3, 5, 8, 9 and 10), Jamaica, Borough of Queens.

Variation of Labor Law

911-38-S—469 7th avenue, southeast corner of West 36th street (Block No. 811, Lot No. 68), Borough of Manhattan.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November* 1, 1938, at 2 o'clock, in Room 1013, Municipal Building on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 604-37-BZ—Application, December 20, 1937, under section 7h of the building zone resolution, of Marjorie Macormack, applicant, on behalf of Estate of A. S. Robbins, owner (William Macormack, lessee), to permit in a business use district the maintenance of a parking space for the parking and storage of more than five (5) motor vehicles; premises 266-282 Clarkson avenue, south side, 89 ft. 7½ in. west of Nostrand avenue (Block No. 5066, Lot Nos. 41 and 46), Borough of Brooklyn.

CAL. NO. 215-37-BZ—Application, May 7, 1937, under section 21 of the building zone resolution of Scacchetti and Siegel, applicants, on behalf of Reliance Equities, Inc owner, to permit in a residence use district the erection and maintenance of a multiple dwelling having stores in the first story; premises 2191-2197 Grand Concourse and 156 East 182nd street, southwest corner (Block No. 3162, Lot No. 29), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 4, 1938, 10 A. M.

Appeals from Administrative Orders

850-38-A—North side of Walling street, 100 ft. east of Northern boulevard (rear of lot); (southeast corner of Sybilla street and Violet place); (Block No. 3895, Lot No. 1), Forest Hills, Borough of Queens.

851-38-A—East side of Northern boulevard, 92 ft. north of Walling street (Block No. 3895, Lot No. 29), Forest Hills, Borough of Queens.

852-38-A—North side of Walling street, 100 ft. east of Northern boulevard (front of lot) (northwest side of Walling street and Wanda place); (Block No. 3895, Lot No. 1), Forest Hills, Borough of Queens.

853-38-A—Northwest corner of Walnut street and 71 (Continental) avenue (Block No. 280 Lot No. 1), Forest Hills, Borough of Queens.

855-38-A—North side of Walling street, 150 ft. east of Northern boulevard (north side of Walling street, 180 ft. east of westerly line); (Block No. 3895, Lot No. 34 and part of Lot No. 35), Forest Hills, Borough of Queens.

856-38-A—North side of Walling street, 200 ft. east of Northern boulevard (northwest corner of Walling street and Wanda place); (Block No. 3895, Lot No. 35), Forest Hills, Borough of Queens.

NOVEMBER 9, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November* 9, 1938, at 10 o'clock, in Room 1013 Municipal Building on the following matters:

CAL. NO. 459-37-BZ—Application, September 27, 1937, under sections 7h and 21 of the building zone resolution, of MacMurray Holding Corporation, applicant and lessee, on behalf of The Mutual Life Insurance Company, owner, to permit partly in a business use district, partly in a retail use district and partly in a restricted retail use district, for a temporary period of not more than two (2) years the parking and storage of more than five (5) motor vehicles; premises

CALENDAR

Seventh avenue and 201-209 West 56th street, northwest corner (Block No. 1028, Lot Nos. 25, 27, 29 and 29½), Borough of Manhattan.

CAL. NO. 583-38-BZ—Application, July 8, 1938, under section 7h of the building zone resolution of Harry Yahr, applicant, on behalf of The Mutual Life Insurance Company of New York, owner, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan.

CAL. NO. 595-37-BZ—Application, December 16, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of L. K. F. Realty Co., Inc., Sieko Realty Corporation and Eleanor Hedwig Arnold, owners (Nunley Parking Company, Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 170-15 to 170-21, 171-01 to 171-19, 172-01 to 172-25 and 173-05 to 173-13 Hillside avenue, north side, 56.51 ft. west of Kingston road (Block No. 923, Lot Nos. 1, 10, 14 and 17 and Block No. 896, Lot Nos. 42 and 48), Jamaica, Borough of Queens.

CAL. NO. 23-38-BZ—Application, January 15, 1938, under section 7h of the building zone resolution, of Margaret Scally, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 136-43 to 136-45 37th avenue, north side, 400 ft. east of Main street (Block No. 4977, Lot Nos. 90 and 91), Flushing, Borough of Queens.

CAL. NO. 44-38-BZ—Application, January 25, 1938, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Gertrude C. Vandewater, owner (Jamaica Parking and Realty Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-22 to 89-26 165th street, west side, 200.15 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 48), Jamaica, Borough of Queens.

AL. NO. 66-38-BZ—Application, February 3, 1938, under section 7h of the building zone resolution, of William Shary, applicant, on behalf of Board of Transportation, City of New York, owner (Abraham Goldenbaum, lessee), to pemit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 340-354 Sixth avenue, east side, from West 4th street to Washington place, 151 West 4th street and 88-90 Washington place (Block No. 552, Lot No. 1), Borough of Manhattan.

CAL. NO. 362-38-BZ—Application, May 11, 1938 under sections 6a, 6b and 21 of the building zone resolution, of David Steckler, applicant, on behalf of Henry Felsenstein, owner, to permit in a residence use district the extension in area of a garage and gasoline service station; premises 2042-2044 Ocean avenue, west side, 470 ft. south of Avenue O (Block No. 6766, Lot No. 36 and part of Lot No. 38), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 9, 1938, 2 P. M.

Appeals from Administrative Orders

900-38-A-WF—33-41 Prince street and 134-03 35th avenue, northeast corner (Block No. 782, Lot No. 46), Flushing, Borough of Queens.

907-38-A—Transportation of liquid asphalt in semi-trailer truck, not of approved type, in New York City.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, November* 9, 1938, at 2 o'clock, in Room 1013, Municipal Building on the following matter:

CAL. NO. 731-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Fred B. McDuffee, Director, Bureau of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of an extension to an existing garage for the storage of more than five (5) motor vehicles; premises 535-543 East 120th street, northwest corner of East River drive (Block 1817, part of Lot No. 13), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 15, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November* 15, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 708-38-BZ—Application, August 9, 1938, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Patrick Carroll, owner, to permit partly in a business use district and partly in an un-

CALENDAR

restricted use district the extension of a gasoline service station; premises 92-28 Horace Harding (Nassau) boulevard, southeast corner of Queens boulevard (Block No. 2075, Lot Nos. 5 and 6), Elmhurst, Borough of Queens.

CAL. NO. 676-38-BZ—Application, July 29, 1938, under section 21 of the building zone resolution, of M. Allen Schlendorf, applicant, on behalf of Kroder-Reubel Co., owner, to permit in a business use district the erection and maintenance of a saw and planing mill; premises 75-81 Herbert street, north side, 50 ft. east of North Henry street (Block No. 2828, Lot No. 1), Borough of Brooklyn.

CAL. NO. 692-38-BZ—Application, August 4, 1938, under sections 7h and 21 of the building zone resolution, of Leopold Friedman, applicant, on behalf of Hawthorne Amusement Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 31-73 Bay 19th street, east side, 254 ft. south of 86th street (Block No. 6370, part of Lot No. 23), Borough of Brooklyn.

CAL. NO. 542-38-BZ—Application, June 24, 1938, under section 21 of the building zone resolution, of Patrick Quilty, applicant, on behalf of Department of Water Supply, Gas & Electricity, City of New York, owner, to permit in a business use district the erection and maintenance of an extension to an existing pumping station; extension to be used as a garage for more than five (5) motor vehicles; premises southwest corner of Fresh Meadow road and Underhill avenue (Block No. 5580, Lot No. 140), Flushing, Borough of Queens.

CAL. NO. 672-38-BZ—Application, July 27, 1938, under section 21 of the building zone resolution, of Clinton T. Roe, applicant, on behalf of Kate L. Wood and Martha Schenke, owners, to permit in a residence use district, the erection and maintenance of two (2) buildings, each having a store on the first story and dwelling above; plot is located in a proposed public park as shown on the zone map; premises 15-62 to 15-66 149th street, west side, 100 ft. south of 15th drive (Block No. 505, Lot No. 24), Whitestone, Borough of Queens.

CAL. NO. 480-25-BZ—Application of S. J. Kessler, applicant, on behalf of The 188 West 230th Street Corporation, owner, reopened May 17, 1938, under sections 7c and 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district, the inclusion of a motor vehicle repair shop in a garage (garage previously granted by the board); premises south side of West 230th street, 110.62 ft. east of Exterior street (Block No. 3264, Lot Nos. 104 and 106), Borough of The Bronx.

CAL. NO. 15-38-BZ—Application, January 10, 1938, under section 7h of the building zone resolution of John J. Gilmartin, applicant, on behalf of Third Avenue Railroad System, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2526-2530 Amsterdam avenue, southwest corner of West 186th street (Block No. 2156, Lot No. 48), Borough of Manhattan.

CAL. NO. 660-38-BZ—Application, July 22, 1938, under sections 7h and 21 of the building zone resolution, of Louis E. Ordwein, applicant, on behalf of The Bank for Savings, owner, to permit partly in a residence use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises located within 200 ft. of a hospital; premises 409-411 West 57th street, north side, 89 ft. 8½ in. west of Ninth avenue (Block No. 1067, Lot Nos. 28 and 28½), Borough of Manhattan.

CAL. NO. 538-37-BZ—Application, November 15, 1937, under section 7h of the building zone resolution, of Nicholas Yannaco, applicant, on behalf of W. H. Flattau & Son, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 501 West 185th street, northwest corner of Amsterdam avenue (Block No. 2156, Lot No. 56), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 15, 1938, 2 P. M.

Appeal from Administrative Order

306-38-A—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November* 15, 1938, at 2 o'clock, in Room 1013, Municipal Building on the following matter:

CAL. NO. 624-26-BZ—Application of Apa Realty Corporation, applicant and owner, reopened September 27, 1938 for consideration as to extension of permit—re Application, granted on condition, under section 7f of the building zone resolution permitting in a business use district the maintenance of a gasoline service station (erected under a temporary variation granted by the board for a temporary period); premises southwest corner of Kissena boulevard (road) and Horace Harding (Nassau) boulevard (Block No. 2167, Lot No. 35), Flushing, Borough of Queens.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

NOVEMBER 18, 1938, 10 A. M.

Appeal from Administrative Order

854-38-A—90-20 70th drive (Wanda place), east side, 353 ft. 5 in. south of Metropolitan avenue (east side of Wanda place, 350 ft. south of Metropolitan avenue); (Block No. 3896, Lot No. 56), Forest Hills, Borough of Queens.

NOVEMBER 22, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 22*, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 391-37-BZ—Application, August 4, 1937, under section 7h of the building zone resolution, of Aaron Roth, applicant, on behalf of Kahnege Corporation, owner (Juliano Bocchemuzzo, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 49-01 to 49-19 Skillman avenue, north side, between 49th street and 50th street (Block No. 132, Los Nos. 67, 71, 72, 73 and 74), Long Island City, Borough of Queens.

CAL. NO. 274-38-BZ—Application, April 14, 1938, under section 7h of the building zone resolution, of J. G. L. Molloy, applicant, on behalf of David Zipkin, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 102 Sherman avenue, north side, 100 ft. east of Dyckman street and 169-171 Dyckman street (Block No. 2224, Lot Nos. 45 to 48, inclusive and Lot No. 53), Borough of Manhattan.

CAL. NO. 275-38-BZ—Application, April 14, 1938, under section 7h of the building zone resolution, of J. G. L. Molloy, applicant, on behalf of David Zipkin, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 225-229 Sherman avenue and 531-537 West 207th street, southeast corner (Block No. 2223, Lot Nos. 1 to 4, inclusive), Borough of Manhattan.

CAL. NO. 436-38-BZ—Application, June 1, 1938, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Wilgate Holding Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 53-02 Kissena boulevard, southeast corner of 153rd street, northwest corner of Kissena boulevard and Peck avenue and northeast corner of 153rd street and Peck avenue (Block No. 5163, Lot No. 74), Flushing, Borough of Queens.

CAL. NO. 458-38-BZ—Application, June 3, 1938, under section 7h of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Son-Ray Realty and Holding Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1800-1808 East 177th street, southeast corner of Beach avenue (Block No. 3881, Lot Nos. 11 to 15, inclusive), Borough of The Bronx.

CAL. NO. 701-38-BZ—Application, August 8, 1938, under section 7h of the building zone resolution, of Naphtali A. Weidberg, applicant, on behalf of Frank Spano and Michael Spano, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 90-14 168th street, west side, 112.50 ft. south of 90th avenue (Block No. 867, Lot Nos. 77 and 79), Jamaica, Borough of Queens.

CAL. NO. 652-38-BZ—Application, July 21, 1938, under sections 7a and 7c of the building zone resolution, of Charles G. Coster, applicant, on behalf of De Luxe Laboratories, Inc., owner, to permit in a residence use district the alteration and change of occupancy of an existing building to an office building; premises 448 West 56th street, south side, 125 ft. east of Tenth avenue (Block No. 1065, Lot No. 59), Borough of Manhattan.

CAL. NO. 428-37-BZ—Application, September 1, 1937, under section 7h of the building zone resolution, of James Newell, applicant and lessee, on behalf of 870 Eighth Avenue Corporation, Board of Transportation, City of New York and Estate of John L. Sauervein (Sarah Sauervein, executrix and trustee), owners, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 870-884 Eighth avenue, northeast corner of West 52nd street (Block No. 1024, Lot Nos. 1, 2, 3, 63 and 161), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, OCTOBER 25, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, October 11, 1938 and the minutes of the regular meeting of the board held on Tuesday afternoon, October 11, 1938, were approved as printed in Bulletin No. 42, Volume 23.

BUILDING ZONE CASES

554-37-BZ.

APPLICANT—Smith and Weber (lessees), for Board of Transportation, City of New York, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit partly in a retail use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—896-908 Eighth avenue and 260-266 West 54th street, southeast corner and 255 West 53rd street (Block No. 1025, Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Sanford Smith and J. A. Weber.

For Opposition: None.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 1, 1938, at 10 a.m. Applicant to obtain correct decision from commissioner of buildings.

604-37-BZ.

APPLICANT—Marjorie Macormack, for Estate of A. S. Robbins, owner (William Macormack, lessee).

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district, the maintenance of a parking space for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—266-276 Clarkson avenue, south side, 139 ft. 7½ in. west of Nostrand avenue (Block No. 5066, Lot Nos. 41 and 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: Marjorie Macormack.

For Opposition: Jerome N. Wanshel, Harold V. Dixon, Daniel Krogenon and Egbert W. Doughty.

ACTION OF BOARD—Laid over to November 1, 1938, at 2 p.m., for final decision by board. No further argument.

456-37-BZ.

APPLICANT—Wallace F. McLendon, for Fannie Gise, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—4866 Broadway, east side, 125 ft. south of West 204th street (Block No. 2234, Lot Nos. 14 and 15), Borough of Manhattan.

APPEARANCES—

For Applicant: W. F. McLendon and J. J. Schneiderman.

For Opposition: None.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(456-37-BZ)

WHEREAS, Wallace F. McLendon, for Fannie Gise, owner, filed September 23, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; Premises: 4866 Broadway, east side, 125 ft. south of West 204th street (Block No. 2234, Lot Nos. 14 and 15), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 25, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway is in a business and residence use district; Vermilyea avenue is in a residence use district; West 204th street is in a residence and business district and Academy street is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated August 26, 1937, reads:

"Answering your letter of August 17, 1937, you are advised that your application for certificate of occupancy has been disapproved for the following reasons:

Parking and storage of more than five motor vehicles in a business district is contrary to Art. 2, Section 4, sub-division 15 of the Zoning Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 148 ft. It is proposed to use the plot for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-H thereof, for a temporary period of two years, to permit the plot under appeal to be used for the parking and storage of more than five motor vehicles in conjunction with the adjoining lot No. 10 occupied as a gasoline station and 30 one car garges under the same control, *on condition* that the plot shall be levelled except for the rear 12 feet; that access from Broadway to this lot shall be by means of the existing curb cut to Lot 10; that there shall be erected on the interior lot lines, where existing substantial fences or walls do not occur, a substantial woven wire fence not less than six (6) feet in height; that at the rear, the fence shall be erected at the point twelve (12) feet from the rear line and parallel thereto; that a similar fence or substantial painted wood picket fence shall be erected along the street frontage of Broadway, except for an entrance not more than fifteen (15) feet in width; that the plot shall be surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting; that sufficient aisles shall be left at all times for easy ingress and egress; that such portable fire-fighting appliances shall be installed as the Fire Commissioner shall direct; that during the term of this variance, the plot shall be used for no other use than as herein permitted and no building shall be erected upon the plot; that no signs

shall be erected on the premises, except there may be a sign attached to the street line fence, not exceeding fifteen (15) square feet in area, advertising the parking and storage use; that all permits required shall be obtained and all work completed within three months from the date of this action.

490-37-BZ.

APPLICANT—Louis Wertheimer (lessee), for Estate of J. Romaine Brown, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—246 Nagle avenue, southwest corner of West 204th street (Block No. 2218, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles H. Tally and Louis Wertheimer.

For Opposition: None.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(490-37-BZ)

WHEREAS, Louis Werthheimer (lessee), for Estate of J. Romaine Brown, owner, filed October 14, 1937, an application under the building zone resolution, to permit partly in a business use and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; Premises: 246 Nagle Avenue, southwest corner of West 204th Street (Block No. 2218, Lot No. 25), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 25, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Nagle Avenue is in a business use district; West 204th Street is in a residence, business and unrestricted use; Academy Street is in a residence, business and unrestricted district; and Post Avenue is in a residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated August 22, 1938, reads:

> "Relative to your application for a certificate of occupancy for an open air parking space and storage of more than 5 motor vehicles at the above premises, you are advised same has been denied as the premises is located in residence and business districts where this occupancy is prohibited by Article 2, Section 3 of the Building Zone Resolution and also Article 2, section 4a subdivision 15 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Nagle Avenue and 110 ft. on West 204th Street. The north portion of the plot extends into a residence use district for a distance of ten (10) ft.; the remainder of the plot is in a business use district. It is proposed to use the plot for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the Board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision H of the Building Zone Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution and that the application be and it hereby is granted under Section 7-H thereof, for a temporary period of two years, to permit that portion of the plot within the business use district to be used for storing and parking of more than five motor vehicles, *on condition* that automobiles of the pleasure-car type only shall be so stored or parked; that such portion of the plot as is to be used for such parking, shall be graded substantially to the grade of surrounding streets and surfaced with steam cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting; that there shall be erected on the interior and street building lines and on the zone line between the business and residential use areas, a substantial woven wire fence not less than six (6) feet in height, except where high rock ledge occurs and except for one entrance thereto from West 204th Street near the intersection of the Nagle Avenue building line, not exceeding fifteen (15) ft. in width; that during the term of this variance, these premises shall be used for no other use than that herein permitted and no building shall be erected thereon, except there may be erected a building not over one story in height of frame construction, not exceeding 150 square ft. in area, as an office and shelter for attendant; that proper aisles shall be maintained at all times for easy ingress and egress; that such portable fire-fighting appliances shall be installed as the Fire Commissioner shall direct; that signs shall be limited to a sign attached to the fence on the Nagle Avenue building line not exceeding fifteen (15) square ft. in area, advertising solely the parking and storage use; that all permits required shall be obtained and all work involved completed within three months from the date of this action.

602-37-BZ.

APPLICANT—William Debus, for Katharine Hentschel, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—25-33 Irving avenue and 343-347 Jefferson street, northeast corner (Block No. 3167, Lot Nos. 1 and 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: William Debus and Lillian Hentschel.

For Opposition: B. Lamberta.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(602-37-BZ)

WHEREAS, William Debus, for Katharine Hentschel, owner, filed December 20, 1937, an application under the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; Premises: 25-33 Irving avenue and 343-347 Jefferson Street, northeast corner (Block No. 3167, Lot Nos. 1 and 3), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 25, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Irving avenue is in a business and unrestricted use district; Jefferson street is in a business and unrestricted use district; Flushing avenue is in an unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated November 21, 1937, re application No. 18093-1937, reads:

"Proposed storage and parking for more than five cars in a business district contrary to Art. 2, Section 4, Subdiv. 15 of Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Irving avenue and 100 ft. on Jefferson street. It is proposed to use the plot, for a temporary period of not more than two (2) years for parking and storage of more than five (5) motor vehicles; and

WHEREAS, the board deemed that this was a proper case to exercise its discretion under Section 7, subdivision H, of the Building Zone Resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted,* under Section 7-H, for a term of two (2) years, to permit the plot under appeal to be used for storage and parking of more than five motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so stored and parked; that the lot shall be levelled to the grade of surrounding streets and shall be covered with steam cinders or clean gravel or other suitable material, properly rolled and bound to prevent dusting; that there shall be erected on interior lines and street lines, a substantial fence not less than 6 ft. in height, except for one entrance to Jefferson street, toward the centre of the plot, not more than 15 ft. in width; that during the term of this variance, the plot shall be used for no other use than permitted herein; that no building shall be erected thereon, except there may be erected a frame building not more than one story in height, not more than 150 sq. ft. in area as an office and shelter for attendant; that proper aisles shall be maintained at all times for ingress and egress of cars; that such portable fire appliances shall be installed as the Fire Commissioner shall direct; that no signs shall be erected, except a sign near the entrance, not over 15 sq. ft. in area, and attached to the fence, advertising the storage and parking use; and that all permits shall be obtained and all work shall be completed within three months from the date of this action.

428-38-BZ.

APPLICANT—Joseph B. Lynch, for Colonial Beacon Oil Co., Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7-c and 21 of the building zone resolution, to permit the erection of an extension to an existing building on a plot located partly in an unrestricted use district and partly in a business use district, occupied by an existing gasoline service station.

PREMISES AFFECTED—127-32 to 127-48 Northern boulevard, south side, 40.02 ft. east of 127th place (Block No. 1829, Lot No. 21), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

For Opposition: L. C. Squire.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(428-38-BZ)

WHEREAS, Joseph B. Lynch, for Colonial Beacon Oil Co., Inc., owner, filed May 31, 1938, an application under the building zone resolution, to permit the erection of an extension to an existing building on a plot located partly in an unrestricted and partly in a business use district, occupied by an existing gasoline service station; Premises: 127-32 to 127-48 Northern Boulevard, south side, 40.02 ft. east of 127th place (Block No. 1829, Lot No. 21), Corona, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 25, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Northern Boulevard is in a business use district; 127th Place is in a business and unrestricted district and 34th Avenue is in an unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated May 25, 1938, amended October 4, re application 9753-37, reads:

"3. The extension of a building for a gasoline service station building in a business use district is contrary to Art. II, Sec. 4a, Sub. 46 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot fronting 176.23 ft. on Northern Boulevard and a depth of 119.52 ft., irregular in area, upon which there exists a one story accessory building 25 ft. ½ in. by 20 ft. in area, ten 550 gallon gasoline tanks, 8 gasoline dispensing pumps and 2 encased grease pits; it is proposed to remove the existing 8 pumps and to install three new pump islands having two pumps each and a new addition to the accessory building to be 21 ft. 6 in. by 24 ft. in area, approximately, to be used for lubritorium; the existing wood fences will be removed and a new lattice fence erected on the interior lot line, as shown on plans filed June 14, 1938, and

WHEREAS, the Board deemed that the provisions of section 7, subdivision C of the building zone resolution, under which this application was made, empowered it to exercise its discretion and to grant this application under such conditions as would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is granted under Section 7-C thereof, to permit the existing area now legally occupied as a gasoline service station to be rearranged and the accessory buildings reconstructed substantially as indicated on plans filed with this application, *on condition* that the rear portion of the plot shall remain vacant and unoccupied; that the existing grease pits shall be removed; that the gasoline pumps shall be of the parkway type, no part of which shall be nearer than sixteen (16) ft. to the new building line of Northern Boulevard; that the curb cuts shall not exceed those permitted under Permit Q621, issued on June 24, 1938, calling for three 27 ft. curb cuts plus 1½ ft. splay on each side of each cut; that the portion of the plot between the accessory buildings and the street line on Northern Boulevard, shall be paved with concrete and the rear portion shall be covered with clean gravel; that the accessory buildings shall be constructed of fireproof materials, except that the roof beams, roof boarding, window frames and sash, door frames and doors may be of wood, provided the ceilings throughout are fire-retarded in accordance with the rules of the Board of Standards and Appeals; that no open excavation shall be constructed on the plot, except the open pits for the greasing racks within the accessory building; that signs shall be restricted to permanent signs attached to the accessory building and to the illuminated globes of the gasoline pumps and to any legally existing signboards and including a post standard erected within the building line for support of a sign, which may be illuminated,

advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than five (5) feet; that general illumination may be by means of flood lights on standards, provided such flood lights are equipped with metal reflectors and so arranged as to reflect toward the interior of the premises; that there shall be constructed on interior lot lines a substantial fence, as indicated on plans, not less than five (5) ft. in total height, erected on a concrete curbing; that these premises shall be used for no other use than as already legally permitted that no repairing shall be carried on and no storage or parking of cars other than those being serviced; that no portable gasoline pumps used on or from the premises; that any landscaping maintained, shall be protected with concrete curbing; that all permits required shall be obtained and all work involved shall be completed within six (6) months from the date of this action.

570-38-BZ.

APPLICANT—Robert Gottlieb, for Stanley K. Malouf, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7a of the building zone resolution, to permit in a residence use district, the erection and maintenance of a business building (stores and offices above).

PREMISES AFFECTED—791-793 St. Nicholas avenue, west side, 51 ft. south of West 150th street (Block No. 2064, Lot Nos. 33 and 34), Borough of Manhattan.

APPEARANCES—

For Applicant: Reuben J. Wittstein and Robert Gottlieb.

For Opposition: John P. Leo.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(570-38-BZ)

WHEREAS, Robert Gottlieb, for Stanley K. Malouf, owner, led July 5, 1938, an application under the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores and offices above); Premises: 791-793 St. Nicholas avenue, west side, 51 ft. south of West 150th street (Block No. 2064, Lot Nos. 33 and 34), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 25, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that St. Nicholas avenue is in a residence use district; St. Nicholas place is in a residence use district· West 149th street is in a residence use district and West 150th street is in a residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated June 16, 1938, re N.B. App. No. 103-38, reads:

"1. Contrary to section 3, Building Zone Resolution, to erect a building for business uses as proposed in this application, viz: Stores and offices."

and

WHEREAS, the building is of non-fireproof construction, with a frontage of 51 ft. and a depth of 47 ft. irreg., formerly occupied as a dwelling, to be occupied as stores and offices above; and

WHEREAS, the board deemed that there was no basis for exercise of discretion to grant under Section 7-A and no practical difficulty or unnecessary hardship existed, to warrant a variation under Section 21.

Resolved, that the decision of the Borough Superintendent, acting on N.B. 103-38, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

629-38-BZ.

APPLICANT—Francis Fargo (lessee), for Robert Goelet and Duke of Roxburghe, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7-c and 21 of the building zone resolution, to permit in a residence use district, for a temporary period of three (3) years, the use of a plot of ground as tennis and badminton courts.

PREMISES AFFECTED—178-180 East 78th street, south side, 100 ft. west of Third avenue and 173-175 East 77th street (Block No. 1412, part of Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant: Francis J. Fargo.

For Opposition: None.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(629-38-BZ)

WHEREAS, Francis Fargo (lessee), for Robert Goelet and Duke of Roxburghe, owners, filed July 15, 1938, an application under the building zone resolution, to permit in a residence use district for a temporary period of three (3) years, the use of a plot of ground as tennis and badminton courts; Premises: 178-180 East 78th street, south side, 100 ft. west of Third avenue and 173-175 East 77th street (Block No. 1412, part of Lot No. 33), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 25, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 77th street is in a residence and business use district; East 78th street is in a residence and business use district; and Third avenue is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated August 15, 1938, reads:

"Your application for a temporary certificate of occupancy for the above premises is disapproved for the reason that the property is located in a residence district where tennis courts are not permitted."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. on East 77th street, 20 ft. on East 78th street and a distance of 204 ft. 4 in. along the east lot line. It is proposed to occupy the plot as tennis and badminton courts, for a temporary period of three (3) years, in conjunction with the existing tennis courts to the east—said tennis courts to east are located in a business use district; and

WHEREAS, the Board deemed that the provisions of Section 7, subdivision C of the Building Zone Resolution, under which this application was made, empowered the Board to exercise its discretion and to grant this applica-

tion under such conditions that would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted*, under Section 7-C, to permit the premises within the residential use district, to be used in conjunction with the premises in the business use district as public tennis and badminton courts, *on condition* that the premises shall be maintained as indicated on plans and photographs filed with this application and kept properly fenced at all times; that this use shall be permitted only so long as the conditions are continued as set forth and that all permits shall be obtained and all work shall be completed completed within three months from the date of this action.

Adjourned, 12:35 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, OCTOBER 25, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

624-26-BZ.

APPLICANT—Apa Realty Corporation, owner.

SUBJECT—Application reopened September 27, 1938 for consideration as to extension of permit—re Application (decision of the commissioner of buildings) under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station (erected under a temporary variation granted by the board for a temporary period).

PREMISES AFFECTED—Southwest corner of Kissena boulevard, (road) and Horace Harding (Nassau) boulevard (Block No. 2167, Lot No. 35), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Anna Reinhardt.

For Opposition: H. Baum, Mary Gerrodette and C. J. Sturla.

ACTION OF BOARD—Laid over to November 15, 1938, at 2 p.m., to consider arguments advanced at meeting and communicate with City Planning Commission.

731-38-BZ.

APPLICANT—Fred B. McDuffee, Director, Bureau of Architecture, Department of Public Works, for City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of an extension to an existing garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—535-543 East 120th street, northwest corner of East River drive (Block No. 1817, part of Lot No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Opposition: Morris Levy.

ACTION OF BOARD—Laid over to November 9, 1938, at 2 p.m., on request of board.

411-37-BZ.

APPLICANT—Philip Patti, for Brooklyn and Queens Transit Corporation, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business use district the maintenance of a parking space for more than five (5) motor vehicles.

PREMISES AFFECTED—366 Seneca avenue, southwest corner of Stockholm street (Block No. 3425, Lot No. 7), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(411-37-BZ)

WHEREAS, Philip Patti, for Brooklyn and Queens Transit Corporation, owner, filed on August 20, 1937, an application with this board relative to a decision of the commissioner of buildings, pertaining to a variation of the building zone resolution, affecting premises 366 Seneca avenue, southwest corner of Stockholm street (Block No. 3425, Lot No. 7), Ridgewood, Borough of Queens; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

421-37-BZ.

APPLICANT—Erhard Djorup, for Abraham Siegel, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7-G of the building zone resolution, to permit the erection of a public garage in a residence use district.

PREMISES AFFECTED—1113-1117 East 215th street, northside, 122 ft. east of Laconia avenue, 1110-1112 East 216th street and 3597 Wilson avenue (Block No. 4710, Lot Nos. 6, 7, 8, 22, 23 and 24), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....

Negative .....

Absent .....

THE RESOLUTION—

(421-37-BZ)

WHEREAS, Erhard Djorup, for Abraham Siegel, owner filed on August 27, 1937, an application with this board relative to a decision of the commissioner of buildings

pertaining to a variation of the building zone resolution, affecting premises 1113-1117 East 215th street, north side, 122 ft. east of Laconia avenue, 1110-1112 East 216th street and 3597 Wilson avenue (Block No. 4710, Lot Nos. 6, 7, 8, 22, 23 and 24), Borough of The Bronx; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

531-37-BZ.

APPLICANT—James Mosgoffian (lessee), for Annie Zins, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7-H and 21 of the building zone resolution, to permit the maintenance of an existing parking lot for the parking and storage of more than five (5) motor vehicles in a business use district.

PREMISES AFFECTED—23-28 to 23-30 to 23-32 30th avenue, southside, 150 ft. west of Crescent street (Block No. 572, Lot Nos. 37 and 38), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(531-37-BZ)

WHEREAS, James Mosgoffian (lessee), for Annie Zins, owner, filed on November 9, 1937, an application with this board, relative to a decision of the commissioner of buildings, pertaining to a variation of the building zone resolution, affecting premises 23-28 to 23-30 to 23-32 30th avenue, south side, 150 ft. west of Crescent street (Block No. 572, Lot Nos. 37 and 38), Astoria, Borough of Queens; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

614-37-BZ.

APPLICANT—Frank Billeci, for Board of Transportation, City of New York, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7-H of the building zone resolution, to permit the maintenance of a parking and storage lot for more than five (5) motor vehicles.

PREMISES AFFECTED—415 Sixth avenue and 1-5 Greenwich avenue, southwest corner (Block No. 593, Lot No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(614-37-BZ)

WHEREAS, Frank Billeci (lessee), for Board of Transportation, City of New York, owner, filed on December 23, 1937, an application with this board, relative to a decision of the commissioner of buildings, pertaining to a variation of the building zone resolution, affecting premises 415 Sixth avenue and 1-5 Greenwich avenue, southwest corner (Block No. 593, Lot No. 13), Borough of Manhattan; and

WHEREAS, the applicant failed to complete his papers, although duly notified to do so.

Resolved, that the application be and it hereby is *dismissed* for lack of prosecution.

461-37-BZ.

APPLICANT—Manhattan Parking Corporation (lessee), for New York Life Insurance Company, owner.

SUBJECT—Application reopened October 4, 1938 for consideration as to amendment of resolution adopted by the board on July 12, 1938, re Application (decision of the borough superintendent of buildings) previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—247-261 Madison avenue, east side, from East 38th street to East 39th street (Block No. 868, Lot Nos. 22, 23, 24 and 25 and part of Lot Nos. 20, 54, 55 and 56), Borough of Manhattan.

APPEARANCES—

For Applicant: G. D. Carrington and L. I. Reidner.

For Opposition: John P. Fox.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(461-37-BZ)

WHEREAS, Manhattan Parking Corporation (lessee), for New York Life Insurance Company, owner, filed September 27, 1937, an application under the building zone resolution, to permit partly in a business use district and partly in a residence use district, for temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; Premises: 247-261 Madison avenue, east side, from East 38th street to East 39th street (Block No. 868, Lot Nos. 20, 22, 23, 24, 25, 54, 55 and 56), Borough of Manhattan; and

WHEREAS, this application was granted by the Board at its meeting July 12, 1938, on certain conditions and applicant requested a reopening of the case to include portions in the residence use area, consisting of the rear of Lots Nos. 20, 54, 55 and 56, which extend into the residence use district for a distance of 15 ft. and Lot No. 26 with a frontage of 22 ft. in East 38th Street; and

WHEREAS, this application was reopened by vote of the Board, October 4, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 25, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, these premises were the subject of an inspection by a committee of the Board, report of which inspection was read at the hearing and which report follows:

REPORT OF COMMITTEE.

October 24, 1938.

Cal. No. 461-37-BZ
Premises 247-261 *Madison Avenue, Manhattan.*

On July 12, 1938, the Board adopted a resolution to permit under Section 7 subdivision H, transient parking on this plot within the business use area only

under certain conditions. A request was made on September 29, 1938, for a rehearing to consider certain amendments and to include for parking use, under Section 21, the portion within the residence use district, consisting of the rear of Lots Nos. 20, 54, 55 and 56, which extend into the residential use district for a distance of fifteen feet, and lot No. 26 with a frontage of 22 ft. on East 38th Street.

In the resolution of July 12, 1938, the Board provided for the inclusion of all this area within the fencing required but excluded the actual parking thereon within the residential use district. The entire plot, together with portions of the sidewalk of East 38th Street and East 39th Street out to the stoop line has been used for parking for about seven years without permit therefor. Nothing has been done to carry out the requirements of the Board's resolution of July 12, 1938. Use of the business use portion of the plot has been permitted with conditions imposed which are reasonable and practical and designed for the protection of the public and the owners in the area. Certain minor amendments thereof are, however, hereinafter recommended. Even for a temporary term, the Committee finds no basis that would justify a variance under Section 21 and cites the court decision in STILLMAN vs. THE BOARD, affecting property at Park Avenue and East 40th Street as applicable to this appeal.

The Committee recommends that the resolution be amended, as to curbing, bumpers and fences, so that this portion of the resolution will read:

"that there shall be erected on the street building lines, except for one 20 ft. wide entrance to East 39th Street and one of a similar width to East 38th Street, a concrete curbing 8 in. in height above sidewalk grade and 1 ft. in width, on the centre of which shall be erected a substantial steel picket fence not less than 4 ft. in height above such curb, with substantial posts and bumpers at the entrances; that this curbing and fence shall be continued along the portion of the plot within the residence use area for a distance of 15 ft. along East 39th Street and 22 ft. along East 38th Street, with returns to the side lot line building wall; that parallel to the fence along Madison Avenue a concrete plotform bumper with steel nosing shall be constructed for a height of 8 in. and a width of 3 ft. 6 in.; that a concrete bumper shall be constructed for a height of 8 in. above grade and a width of 1 ft. 6 in. parallel to the fence to be erected along East 38th Street and East 39th Street, within the business use area; that a similar bumper shall be constructed from north to south on the line of the business use area but which may extend for its full width into the residence use area";

and *amended as to toilet accommodations*, so that portion will read:

"and shall be provided with toilet accommodations for attendants unless such accommodations are available at 22 East 38th Street under agreement as filed, dated October 20, 1938";

and *amended as to illumination*, so that that portion will read:

"that there shall be no lights for general illumination except for two bracket lights attached to the front of the office building, not exceeding 200 watts each."

In all other respects the Committee recommends that the resolution adopted July 12, 1938 be reaffirmed.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution as adopted by the Board on July 12, 1938, in accordance with report of Committee, and also as to completion of the work, so that the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7h for a period of two years from the date of this action, to permit that portion of the plot within the business use district to be used for transient parking of more than five motor vehicles of the pleas-car type, *on condition* that the entire plot shall be graded to the level of the sidewalk at the building line; that there shall be erected on the street building lines, except for one 20 ft. wide entrance to East 39th Street, and one of a similar width to East 38th Street, a concrete curbing 8 inches in height and 1 ft. in width, on the centre of which shall be erected a subsubstantial steel picket fence not less than 4 ft. 6 in. in height above such curb, with substantial posts and bumpers at the entrances; that this curbing and fence shall be continued along the portion of the plot within the residential use area for a distance of 15 ft. along East 39th Street and 22 ft. along East 38th Street, with returns to the side lot line building wall; that parallel to the fence, along Madison Avenue, a concrete platform bumper with steel nosing shall be constructed for a height of 8 in. and a width of 3 ft. 6 in.; that a concrete bumper shall be constructed for a height of 8 in. above grade and a width of 7 ft. 6 in. parallel to the fence to be erected along East 38th Street and East 39th Street, within the business use area; that a similar bumper shall be constructed from north to south on the line of the business use area, but which may extend for its full width into the residence use area; that the remaining portion of the plot in the business use area shall be surfaced with cracked bluestone or clean gravel, properly rolled and treated with a binder other than oil, to preclude dusting and so graded as to provide surface drainage; that no portion of the residence use area shall be used for parking; that there shall be erected on the interior lot line on the easterly adjoining lots, where building walls do not occur, a tight board fence not less than 5 ft. 6 in. in height; that the space between this fence and the bumper platform shall be graded to the height of the platform and maintained with grass and shrubs; that all fences shall be kept painted; that the 20 ft. entrances from East 38th Street and East 39th Street shall be not nearer than 50 ft. to the building line of Madison avenue; that the curb cuts opposite entrances shall not exceed 20 ft. in width; that all signs and buildings shall be removed from the plot; that signs shall be restricted to one at each entrance attached to an ornamental steel standard; that these signs shall not be illuminated and may be double-sided, reading "Parking" and may not extend beyond the building line; that no building shall be erected, except a one-story office and shelter for the attendants and patrons; that this building shall not exceed 250 sq. ft. in area and shall be provided with toilet accommodations for attendants unless such accommodations are available at 22 East 38th Street, under agreement as filed dated October 20, 1938; that this building shall be constructed of fire-retarded materials and shall be of an attractive design, which, together with the fence, shall be subject to approval by the chairman in behalf of the board; that a driveway not less than 15 ft. in width shall be maintained at all times on a line with the entrances; that at least once a day, the plot shall be cleaned of all refuse and receptacles for papers and other refuse, shall be provided; that all cars parked shall be capable of operation; that there shall be no use permitted on the plot other than transient parking herein permitted; that the attendants shall wear dis-

tinctive uniforms; that there shall be no lights for general illumination, except for two bracket lights attached to the front of the office building not exceeding 200 watts each; that such portable fire-fighting appliances shall be maintained as the Fire Commissioner shall direct; that no certificate of occupancy shall be issued until all work herein required is complied with and that all work herein required shall be completed within three months from the date of this action.

666-38-BZ.

APPLICANT—Benjamin Braunstein, for Sunnyside Building Corporation, The East New York Savings Bank and Estate of Andrew Wischerth, owner, Charlotte Power and Veronica Wischerth, executrices.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7g and 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a garage for more than five (5) motor vehicles to be operated in conjunction with a proposed multiple dwelling.

PREMISES AFFECTED—101-125 Sunnyside avenue, north side, 210 ft. 1 in. east of Miller avenue (Block No. 3885, Lot Nos. 10, 12, 41 and part o'f Lot No. 100), Borough of Brooklyn.

APPEARANCES—

For Applicant: Benjamin Braunstein and John P. McGrath.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(666-38-BZ)

WHEREAS, Benjamin Braunstein, for Sunnyside Building Corporation, The East New York Savings Bank, Charlotte, Power and Veronica Wischerth, executrices of Estate of Andrew Wischerth ,owners, filed July 26, 1938, an application under the building zone resolution, to permit in a residence use district the erection and maintenance of a garage for more than five motor vehicles, to be operated in conjunction with a proposed multiple dwelling; Premises: 101-125 Sunnyside avenue, northside, 210 ft. 1 in. East of Miller avenue (Block No. 3885, Lot No. 10; 12, 41, part of Lot No. 100), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 25, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Sunnyside avenue is in a residence use district; Highland boulevard is in a residence use district; Miller avenue is in a residence use district and Hendrix street is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated July 12, 1938, reads:

"1. Proposed garage in a residential use district is contrary to Art. II, Sec. 3 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot fronting 149 ft. 11 in. on Highland boulevard and 229 ft. 11 in. on Sunnyside avenue, a portion of which fronts on Sunnyside avenue to a depth of 121 ft. 2¾ in. therefrom, which is the subject of this application. On this portion it is proposed to erect on the easterly end, a one-story fireproof garage for more than five (5) cars in conjunction with an apartment house to be erected on the Highland boulevard front of the plot; and

WHEREAS, the consents filed total 84% of the owners of property in the area deemed affected, which empowers the board to use its discretion in granting a variation under section 7, subdivision G; and

WHEREAS, the Committee of Inspection reported orally through the Chairman recommending that the application should be granted subject to proper conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted*, under Section 7-G, to permit the construction of a garage as proposed, *on condition* that such garage shall be used only for the storage of automobiles belonging to the tenants of the apartment house, to be erected on the Highland boulevard portion of the plot; that there shall be no storage of gasoline, other than in the tanks of the cars; that no repairing or other servicing shall be permitted; that complete working drawings shall be submitted to the board for approval before same are filed with the Commissioner of Buildings and that additional conditions as the board may consider desirable, may be required after such plans are submitted.

371-29-BZ.

APPLICANT—A. Aaron Raphael, for Edmund B. Sullivan, owner.

SUBJECT—Application for consideration—reopening and amendment—re proposed electric sign (decision of the borough superintendent of buildings) re Application, granted on condition, under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—1210-1230 East 233rd street and 3900-3906 Edson avenue, southeast corner and 1951-1961 Grenada place (Block No. 4934, Lot No. 66), Borough of The Bronx.

APPEARANCES—

For Applicant: A. Aaron Raphael.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(371-29-BZ)

WHEREAS, John J. Dunningan, for Edmund B. Sullivan, owner, filed, May 28, 1929, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises 1210-1230 East 233rd street, 3900-3906 Edson avenue, southeast corner, and 1951-1961 Grenada place, (Block No. 4934, Lot No. 66), Borough of The Bronx; and

WHEREAS, the application was granted by the board at its meeting December 24, 1929, on certain conditions, resolution amended December 6, 1932, and owner requested a further amendment.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on December 6, 1932, as to signs, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, *on condition* that there shall be erected on the build-

ing line on the three street fronts a concrete curbing not less than 12 in. above grade; that there shall be no vehicular exit or entrance on the Grenada place front; that there shall be provided at the intersection of Grenada place and 233rd street a 12 in. concrete platform not less than 12 ft. in depth from the point of intersection; that the vehicular openings shall not exceed 12 ft. in width, and the curb cuts not more than 14 ft. in width and that any use accessory to the business conducted on the premises shall be enclosed in an approved structure; that any crankcase service operated thereon shall be conducted within an approved enclosure, with arches opening on to the property; that the exterior of any building erected on the premises shall be finished in light-colored brick trim, architectural terra cotta or natural stone trim; that the roof of the structure shall be finished with variegated slate or terra cotta tile; that any advertising displayed shall be restricted to the illuminated glass globes of the gasoline pumps *and to permanent flat signs attached to accessory building, excluding all roof signs and temporary signs but permitting the erection within the building line, near the intersection of East 233rd street and Granada place, of a post standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale, and permitting such sign to extend beyond the building line for a distance of not more than* 5 *ft.* that no gasoline pump shall be installed within 10 ft. of the building line on any street front of premises; that there shall be no portable tanks stored, maintained or operated on the premises; that all permits required shall be obtained within six months and the work completed within one year from the date of this action."

271-37-BZ.

APPLICANT—Samuels and Samuels, for The Real Estate Trust Company of Philadelphia, trustee under will of George H. Earle, Jr.

SUBJECT—Application for consideration—reopening and amendment—re Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a retail use district the maintenance of a parking space for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—123-127 West 47th street, north side, 220 ft. west of Sixth avenue (Block No. 1000, Lot Nos. 22, 22½ and 23), Borough of Manhattan.

APPEARANCES—

For Applicant: John R. Davies and Ira Levin.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(271-37-BZ)

WHEREAS, Samuels and Samuels, for The Real Estate Trust Co. of Philadelphia, trustee under will of George H. Earle, Jr., filed June 7, 1937 an application under the building zone resolution to permit in a retail use district the maintenance of a parking space for more than five (5) motor vehicles; premises 123-127 West 47th street, north side, 220 feet west of Sixth avenue (Block No. 1000, Lot Nos. 22, 22½ and 23), Borough of Manhattan; and

WHEREAS, the application was granted by the Board at its meeting November 23, 1937, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on November 23, 1937, as to the requirements of the fence on the building line, so that as amended the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7h for a period of two years from November 23, 1937, to permit the plot under appeal to be used for transient *parking, on condition* that during the term of this variance, the plot shall be used for no other purpose; that the plot shall be leveled substantially to the grade of West 47th street and shall be surfaced with steam cinders or other suitable material, properly rolled and bound so as to prevent dusting and properly graded so as to provide surface drainage; that the entrance to the premises shall be approximately at the center of the frontage and shall not exceed 25 ft. in width with curb cut opposite of similar width; that there shall be erected on the street building line, a wrought iron picket fence or masonry wall not less than 4 ft. in height continuously, except for the entrance; that if the attendant's building is located toward the west, along the street building line, no fence need be erected between such building and the entrance provided that such space is not more than 10 ft.; that where walls of adjoining buildings do not occur on the interior property lines, there shall be erected a substantial woven wire fence not less than 6 ft. in height; that no building shall be erected, except a building not over one story in height and not over 10 ft. square in area for office and shelter for the attendant; that lights for illumination shall be so arranged as to reflect toward the center of the plot and away from adjoining occupancies; that no signs shall be erected, except one sign within the property line advertising the transient use, such sign not to exceed 10 sq. ft. in area; that such portable fire-fighting appliances shall be maintained on the premises as the commissioner shall direct; that all permits shall be obtained within three months from the date of this resolution."

APPEALS FROM ADMINISTRATIVE ORDERS

832-38-A.

APPLICANT—Leonard C. L. Smith, for Green Park Homes, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—South side of Eliot avenue, 626 ft. 644 ft. and 667 ft. west of 84th street (Block No. 2941, Lot No. 1), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: Chas. M. McWilliams and David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 1, 1938, at 2 p.m. Applicant to be notified.

907-38-A.

APPLICANT—Berwick Transporters, Inc., owner of truck.

SUBJECT—Appeal from an order of the fire commissioner re: Transportation of liquid asphalt in semi-trailer truck, not of approved type, in New York City.

APPEARANCES—

For Applicant: Jos. M. Drexler.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to November 9, 1938, at 2 p.m. Applicant to obtain additional information.

MINUTES

918-38-A.

APPLICANT—Eugene J. Lang, for The Felician Sisters, O.S.F., owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—523 West 142nd street, north side, 204 ft. west of Hamilton place (Block No. 2074, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: Eugene J. Lang and M. J. McCoy.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 1, 1938, at 2 p.m. Applicant to confer with the Department of Housing and Buildings.

651-38-A.

APPLICANT—Sol A. Herzog, for Central Photo Service, lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—467 Third avenue, east side, 12.5 ft. south of East 32nd street (Block No. 912, Lot No. 63), Borough of Manhattan.

APPEARANCES—

For Applicant: Sol A. Herzog and Isadore Lipson.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

786-38-A.

APPLICANT—Arnold W. Lederer, for Morris Shenker, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1062 (1058 displayed) 55th street, south side, 184 ft. 8 in. west of 11th avenue (Block No. 5681, Lot No. 26), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arnold W. Lederer.

For Administration: S. Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(786-38-A)

WHEREAS, Arnold W. Lederer, for Morris Shenker, owner, filed September 12, 1938, an appeal from a decision of the Acting Borough Superintendent of Buildings affecting premises 1062 (1058 displayed) 55th street, south side, 184 ft. 8 in. west of 11th avenue (Block No. 5681, Lot No. 26), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent of Buildings on Alteration Application No. 11363-1938, dated August 16, 1938, reads:

"1. Provide regulation fire escape as per Sec. 145 as originally approved.

2. Partitions in celllar to be fire retarded as originally approved.

3. Comply with Sec. 178 as to skylight over public stair hall.

8/16/38

1. Cellar partitions to be fireproof as per office Rule #24.

2. See also M. D. Law obj. above."

and

WHEREAS, the building is 2 stories (30 ft.) in height, 29 ft. 4 in. by 60 ft. in area, of non-fireproof construction—located in a residence use district, erected in 1923 and occupied as follows: Cellar, boiler room, storage and recreation room, no persons; 1st floor, 1 family dwelling; 2nd floor, same; It is proposed to increase the occupancy of the 2nd floor to two families; and

WHEREAS, the applicant contends as to Objection No. 1, Section 178 of the Multiple Dwelling Law reads: "That in every dwelling not exceeding two stories in height a single means of egress from first floor shall be permitted," that section 187 requires a skylight to roof, but section 188 states: "that where the pitch of roof exceeds 20%, no scuttle is required, but that if no skylight can be provided, the two means of egress must be provided, section 187, subdivision 2 states, "where the two means of egress is required," that no two means of egress is required in this building under subdivision 1 of 187, since the building is only two stories in height. As to Objection No. 2, Construction objection No. 1, the Building Code does not require fireproof partitions in a building of this character. The partitions are existing and no changes in same are proposed. As to Objection No. 3, section 178 states, "in every converted dwelling where the stair and public hall are not provided with windows on each floor, there shall be provided a skylight." This building has a window on top floor facing side yard. Installation of a skylight and its attendant shaft constitute a hardship to the applicant; and

WHEREAS, a committee of the board reported on these premises, the report reading as follows:

REPORT OF COMMITTEE OF INSPECTION

October 17, 1938.

Re: Cal. No. 786-38-A
Premises 1062—55 st., s.s.,
184 ft. 8 in. west of 11th ave.,
(Block No. 5681, Lot No. 26),
Borough of Brooklyn.

In this application for an interpretation of the decision of the Superintendent of Buildings of Brooklyn, acting upon Alteration 11363 of 1938, three questions are presented

1. The building in question is a two-story and cellar non-fireproof residence building, now occupied by one family on each floor or two in all. It is proposed to alter the building to a hereafter converted dwelling for three families—one on the first floor and two on the second floor—under the provisions of Article VI of the Multiple Dwelling Law. The Superintendent has ruled that a fire-escape is required as a second means of exit. It is understood that the existing stairs to street will be made to comply with the requirements of section 178

Section 187 clearly states "In every dwelling *not exceeding two stories in height, a single* means of egress from each floor to the street shall be permitted" Nothing thereafter in this section contradicts this The ruling of the Superintendent in requiring a second means of exit is incorrect and should be reversed

2. The examiner under the building code and the examiner under the Multiple Dwelling Law have both required that partitions in cellar shall be fire-retarded. Under the Multiple Dwelling Law there is no such requirements other than in section 190 as to enclosing cellar stairs. In the present building code there is no requirement that existing partitions other than around stairs are to be fire retarded

The decision of the department appears to be based on what is referred to in the objection given as "Office Rule #24." It is explained by the Department's representative that this rule was being enforced because the old code required fire retarded partitions and the new code does not. As there is no requirement in the present Building Code or Multiple Dwelling Law to justify this objection, the decision of the Superintendent should be reversed.

3. Upon the adoption of the present building code and the present New York City Charter, all rules that may have been adopted by the Building Department to supplement the previous Building Code became superseded by the new building code and are of no effect if inconsistent therewith.

Any rules that are necessary to supplement the existing building code may be adopted solely by the Board of Standards and Appeals under the provisions of the Charter and the Building Code (2.2.1.1) 26-189.0 which is in harmony therewith.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

Resolved, that the decision of the Borough Superintendent on Alt. App. No. 11363-38 be and it hereby is *reversed* and that the appeal be and it hereby is *granted*, in accordance with the report of the Committee on Inspection, *on condition* that in all other respects the requirements of the Building Code and Multiple Dwelling Law shall be complied with.

836-38-A.

APPLICANT—Steve Zedlovich, for Anna Zedlovich, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—153-23 and 154-05 Locke avenue, north side, 171 ft. and 205 ft. west of 155th street (Block No. 4723, part of Lot No. 1), Whitestone, Borough of Queens.

APPEARANCES—

For Applicant: Steve Zedlovich.

For Administration: Chas. M. McWilliams and David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(836-38-A)

WHEREAS, Steve Zedlovich, for Anna Zedlovich, owner, filed on October 1, 1938, an appeal from decisions of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 153-23 and 154-05 Locke avenue, north side. 171 ft. and 205 ft. west of 155th street (Block No. 4723, part of Lot 1), Whitestone, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent on Alt. App. 7050-38, dated September 22, 1938, reads:

"1. Building may not be moved to the bed of a mapped street."

and

WHEREAS, the decision of the Borough Superintendent on Alt. App. 7051-38, dated September 22, 1938, reads:

"1. Building may not be moved to the bed of a mapped street."

and

WHEREAS, the applicant contends that the parcel in question was purchased August 1, 1938, for the purpose of moving the buildings in question, which are now on encroachment on the proposed Cross Island boulevard; that an investigation at the Topographical Bureau discloses there is no proceeding pending or contemplated to acquire title to any part of the property within the lines of the proposed street involved; that the matter in question is one for the Topographical Bureau to decide and that a mandamus may be obtained directing an approval of plans for the proposed buildings, because there is no obligation on the part of the City of New York to use this property for street purposes; and

WHEREAS, the Board has power under section 35 of Article 3 of the General City Law to grant this application under proper conditions.

Resolved, that the decisions of the Borough Superintendent, acting on Alt. App. 7050-38 and 7051-38, be and they hereby are *modified*, and the appeal be and it hereby is *granted*, permitting the two buildings now occupied as private dwellings and the accessory garage thereto to be moved as proposed, to the plot as shown on plans filed with this appeal, located on Locke avenue, within the bed of the proposed 154th street, *on condition* that in the event the widening under consideration for 154th street is carried through, the then owner may be permitted to move these buildings from the bed of 154th street at his own expense, but shall make no claim for damages for the value of the buildings.

878-38-A.

APPLICANT—Joseph A. Nichols, for Department of Parks, City of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—West side of South Wing of Concession Building, Orchard Beach, Pelham Bay Park, Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph A. Nichols.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(878-38-A)

WHEREAS, Joseph A. Nichols, for Department of Parks, City of New York, owner, filed October 13, 1938, an appeal from an order of the Fire Commissioner, affecting premises West side of South Wing of Concession Building, Orchard Beach, Pelham Park, Borough of The Bronx; and

WHEREAS, Order No. 10786-LC, issued by the Fire Commissioner January 20, 1938, reads:

"With reference to application of recent date for permit to store and use liquefied chlorine at location to which reference is made, kindly be informed that inspection disclosed location is within fifty feet of a building used as a place of public amusement or assembly:

Chapter 19, Title C, Part 1, Article 17 of the Administrative Code prevents the issuance of permit requested under such conditions:

It would, therefore, seem advisable to:

1. Hold in abeyance the proposed storage and use of liquefield chlorine until physical conditions have been changed—OR—appeal from this determination to the Board of Standards and Appeals under the provision of Chapter 27, Section 666 of the New York City Charter."

and

WHEREAS, the said order was referred to in a decision of the Fire Commissioner dated October 11, 1938; and

WHEREAS, the building is one story (8 ft.) in height, 10 ft. by 18 ft. in area, of reinforced concrete construction; located in a residence use district and to be occupied for the storage of liquefied chlorine; and

WHEREAS, the applicant contends that two 105 lb. cylinders of chlorine will be stored in the existing underground fireproof vault 40 ft. away from the occupied portion of the nearest building; that this chlorine is necessary in connection with the treatment of sewage as part of the operation of a public park. The beach is isolated from surrounding residences, hospitals and schools.

Resolved, that the order of the Fire Commissioner No. 10786-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, to permit the storage of not over two 105 lb. cylinders of liquefied chlorine for use in sewage disposal, as approved by the State of New York and all other authorities having jurisdiction, *on condition* that such cylinders shall be stored in an underground fireproof vault not nearer than forty (40) feet from the occupied portion of the nearest building, as indicated on plans filed with this appeal; that there shall be open sprinkler heads installed in the vault, controlled by a valve located near the entrance of the building outside the chlorine storage compartment; that the cylinders shall be stored in an upright position and held in place by substantial steel bands; that a mixing valve equipment, either Wallace & Tiernan or other make satisfactory to the Fire Commissioner, shall be used in connection with the dispensing of the liquid chlorine; that a gas mask approved by the Bureau of Mines for use in connection with liquefied chlorine shall be maintained adjacent to the storage vault and that no one shall be permitted within the storage vault, other than an authorized representative; that the person in charge of the equipment shall hold a certificate of fitness issued by the Fire Commissioner: that during the winter months, when the sewage disposal plant is not in operation, the liquefied chlorine shall be completely removed from the premises.

894-38-A.

APPLICANT—Irving Kirshenblit, for Celia Silkowitz, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1531 53rd street, north side, 260 ft. east of 15th avenue (Block No. 5471, Lot No. 64), Borough of Brooklyn.

APPEARANCES—

For Applicant: Irving Kirshenblit.

For Administration: S. Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(894-38-A)

WHEREAS, Irving Kirshenblit, for Celia Silkowitz, owner, filed on October 17, 1938, an appeal from a decision of the Acting Borough Superintendent, Department of Housing and Buildings, affecting Premises 1531 53rd Street, north side, 260 ft. east of 15th Avenue (Block No. 5471 Lot No. 64), Borough of Brooklyn; and

WHEREAS, the decision of the Acting Borough Superintendent on Alt. App. No. 14769-38, dated October 10, 1938, reads:

"1. Change of occupancy from one to two families; it is unlawful to use attic for living quarters."

and

WHEREAS, the building is 2½ stories (28) ft. in height, 22.5 ft. by 50 ft. in area on 1st floor; of frame construction; located in a residence use "D" area district; erected in 1916; occupied as a one-family dwelling. It is proposed to alter the building and occupy the building as follows: Cellar—ordinary; 1st floor—one family; 2nd floor and attic—one family; and

WHEREAS, the applicant contends the building will not be enlarged or the number of rooms increased; that the alteration consists of a new kitchen on the 2nd floor and a separate entrance on the 1st floor; the existing rooms in the attic are properly lighted and ventilated and have a stairway of sufficient size; there is ample means of egress from attic over the present extensions at the front and at the rear, which are only 12 ft. below the sills of attic windows.

Resolved, that the decision of the Acting Borough Superintendent on Alt. App. No. 14769-38 be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that not more than two families shall occupy the entire building, one on the first floor and one on the second floor and attic; that a stipulation of the owner shall be filed with the Borough Superintendent to the effect that at no time will the building be occupied by more than two families and that the existing side yards shall not be further reduced; that in all other respects the requirements of the Building Code and all other laws, rules and regulations applicable to the construction of the building and its occupancy, shall be complied with and the building shall not be increased in height or area.

897-38-A.

APPLICANT—Chadbourne, Hunt and Jaeckel and Brown, for New China Amusement Co., Inc., lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—73-79 Henry street, northwest corner of Forsyth street and 75-85 East Broadway (Block No. 282, part of Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Robert C. Thomson, Jr. and Rex J. Howard.

For Administration: Jacob Scharf, Department of Housing and Buildings and Captain Foster, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(897-38-A)

WHEREAS, Chadbourne, Hunt & Jaeckel and Brown for New China Amusement Co., Inc., lessee, filed on October 17, 1938, an appeal from a decision of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 73-79 Henry street and 75-85 East Broadway, northwest corner of Forsythe street (Block No. 282, part of Lot 3), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent, dated October 17, 1938, on Alt. App. No. 4536-37, reads:

"6. Provide lawful size ventilating skylight over stage as per Sec. 533, Building Code.

7. Prosenium wall should extend at least four (4) feet above roof as per Section 529, Building Code.

10. Provide sprinkler system for stage and stand pipes as per Section 524, Building Code."

and

WHEREAS, the building is 116 ft. 4 in. by 99 ft. 2½ in. in area, one story in height, of fireproof construction: located in an unrestricted use district; erected in 1920 and occupied as a theatre with 916 seats, for which Certificate of Occupancy No. 2405 was issued September 13, 1938; and

WHEREAS, the applicant contends, Sec. 524, Para. 2 and 3 of the Building Code referring to theatrical buildings such as this requires a system of automatic sprinklers on the stage and standpipes in the auditorium; that such sprinklers and standpipes must be fed by gravity tanks located on roof of building; that it is proposed to produce Chinese operas in this theatre as a permanent proposition and for that reason it is desired to remodel the theatre to obtain substantial compliance with the requirements of the Building Code relating to a legitimate stage; that it is proposed to erect a 12-inch bonded brick fireproof proscenium wall with a 36 ft. arch supported by a steel beam, the proscenium opening to be protected with an asbestos curtain constructed and installed in conformity with the requirements of the Fire and Building Departments. This wall will extend from side to side of the theatre and from the earth below the floor of the theatre through the ceiling and to the roof of the theatre. Since the construction of a skylight above the stage through the roof would endanger the Manhattan Bridge in the event of a fire, applicant proposes to install four ventilating ducts above the stage equipped with fusible links designed so as to open the ducts in event of fire; new doors leading from each of the small dressing rooms on either side of the stage, will be installed; it is also proposed to install a set of automatic wet pipe sprinkler heads above the stage, connected to city main.

Resolved, that the decision of the Borough Superintendent, acting on Alt. App. No. 4536-37 be and it hereby is *modified* and that the appeal be and it hereby is *granted,* as to Item 6, *on condition* that in lieu of the required ventilating skylight there shall be not less than three (3) openings provided near the underneath side of the stage roof, one opening to Henry street and two (2) to the rear, spaced as far apart as possible, each opening to be not less than nine square feet in area and to be protected by a hood on the exterior and equipped with a fireproof hinged door held in place by means of a fusible link and a fibre cord, so arranged and located as to be easily cut in case of fire in the same manner as required under the requirements of Section 12.4, Stage Skylights; and, *granted* as to Item 7, *on condition* that the proscenium wall shall run continuously from the ground to the underneath side of the fireproof roof, provided the connection between the top of the wall and the fireproof roof shall be well slushed in with mortar at all points; and, *granted* as to Item 10, that the standpipe requirement may be waived, *on condition* that the sprinkler system installed, complies with all requirements therefor, with direct connection to street source, fed two ways; that in all other respects the requirements of the Building Code and all other laws, rules and regulations applicable to the use and occupancy of this building shall be complied with.

915-38-A.

APPLICANT—Henrietta Sutphin, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—14-60 Utopia parkway, west side, 80 ft. north of 14th road (Block No. 4615, Lot No. 13), Beechhurst, Borough of Queens.

APPEARANCES—

For Applicant: Clayton G. Ambrose.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(915-38-A)

WHEREAS, Henrietta Sutphin, owner, filed October 21, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises: 14-60 Utopia parkway, west side, 80 ft. north of 14th road (Block No. 4615, Lot No. 13), Beechhurst, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Alteration Application 7933-38, dated October 19, 1938, reads:

"The moving of the frame bungalow and garage into a lot located in the fire limits is not permitted."

and

WHEREAS, the building is 1½ stories, approximately 19 ft. in height, 23 ft. by 42 ft. in area, of frame construction located in a business use, "D" area district, occupied as a one-family dwelling; the garage is of similar construction, 10 ft. by 19 ft. 6 in. in area; and

WHEREAS, the applicant contends the house is presently located at 1480 Burton street, and has been condemned in connection with the widening of Cross Island boulevard. The dwelling is of brick veneer construction from the foundation to the roof line and dormers and gables are surfaced with stucco; the roof is surfaced with asphalt shingles. It is proposed to locate the house and garage on the lot in conformity with "F" area requirements of the Building Zone.

Resolved, that the decision of the Borough Superintendent, acting on Alt. App. 7933-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted* on condition that the building shall in all other respects, comply with the requirements of the Building Code and all other laws, rules, and regulations applicable thereto and that the lot on which the building is proposed to be located, namely 40 ft. by 100 feet, shall not be further reduced in area; that the one-story garage may also be relocated as proposed; that both the dwelling and the garage shall be brick veneered on the exterior walls from the foundation to the plate line.

919-38-A.

APPLICANT—Joseph Schafran, for Edward M. Miville, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2082 Crotona avenue, east side, 50 ft. south of East 180th street (Block No. 3095, Lot No. 24), Borough of The Bronx.

APPEARANCES—

For Applicant: Walter C. Martin.

For Administration: M. Thiede, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(919-38-A)

WHEREAS, Joseph Schafran, for Edward M. Miville, owner, filed October 24, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises 2082 Crotona Avenue, east side, 50 ft. south of East 180th Street (Block No. 3095, Lot No. 24), Borough of The Bronx; and

WHEREAS, the decision of the Borough Superintendent, dated October 24, 1938, reads:

"Please be advised that your application for the use of the above premises as a store, beauty parlor and dwelling is hereby denied as the building is of frame construction, within the fire limits, where proposed occupancy is unlawful."

and

WHEREAS, the building is 3 stories, (36 ft.) in height 20 ft. by 56 ft. in area at first floor and 18 ft. 7 in. by

52 ft. in area at typical floor level, of frame construction, on a lot 20 by 100 ft. in area, located in a business use district, erected in 1908 and occupied: Cellar—boiler room and storage; 1st floor— store and 2 living rooms; 2nd floor—beauty parlor and 5 living rooms; 3rd floor—5 living rooms; for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that the hall room on the 2nd story which is used for beauty parlor, catering only to private trade, is so situated that people using same do not pass through any other room. The other 5 rooms on the same story are occupied by the owner of the beauty parlor as a residence. This use has been in existence for the past 5 years. Health Department permits have been issued every year.

Resolved, that the decision of the Borough Superintendent be and it hereby is *modified*, and the appeal be and it hereby is *granted*, to permit the partial occupancy of 2nd floor as proposed for beauty parlor, *on condition* that the business use above the street floor shall not be further extended; and *granted only so long* as the beauty parlor is operated by the tenant of 2nd floor; and, that as long as this limited business use on the 2nd story is continued, as herein permitted, other requirements of the Building Code as to fire retarding need not be required.

APPLIANCE SUBMITTED FOR APPROVAL

329-34-SA.

APPLICANT—Victor Oil Burner Manufacturing Company, owner.

SUBJECT—Application for consideration—reopening and amendment—change of name—Victor Range Oil Burner, Models VJ-275, VJ-195 and VO-275, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(329-34-SA)

WHEREAS, Victor Oil Burner Mfg. Co., owner, filed November 20, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Victor Range Oil Burner Models VJ-275, VJ-195 and VO-275; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the acting deputy chief of department in charge of bureau of combustibles, was substantially as follows:

The range burner was installed in an ordinary house type heating and cooking range. The burner consists of a cast iron vaporizing base, having four concentric rings and four port holes for the even distribution of the fuel with the inlet of the oil in each casting. The four steel shells are fitted on top of the burner casting. These shells are of stainless steel 17 per cent. to 18 per cent. chrome. The shells are covered by a stainless steel, one-piece top cover with a special handle. Each burner casting is supported by a ½ in, pipe and said pipe is inserted into a pedestal that is bolted to the ashpit. Pedestal is provided with 3 leveling screws.

The oil supply is regulated by means of "V" Slot Type Metering Valves, manufactured by the Hartford Machine Screw Company. A special valve stand is furnished to support the valves. All oil connections are made with heavy copper tubing .049 x 5/16 in. The stand for the oil container is specially designed with a round cast iron foot and a large reservoir and strainer. The bottle, two gallons in capacity, is supported by a pipe and clip. It is enclosed in a basket made of perforated steel finished in chrome and is equipped with two handles.

The front burner unit was ignited and allowed to get to maximum heat. When this temperature was obtained, the oil supply to the second burner unit was turned on full. There were no puff backs due to faulty ignition to the second burner.

There was recognized in these burners the inherent possible hazards due to location and operation. In recommending these burners for approval, it is suggested that the certain recommendations be carried out in their installation and incorporated on their instruction cards.

and

WHEREAS, this burner was approved by the Board, February 19, 1935, on certain conditions and applicant requests permission to market the burner as the Orlando Range Oil Burner, Models VJ-275, VJ-195 and VO-275.

Resolved, that the Board of Standards and Appeals *does* hereby *approve* the device known as the Victor Range Oil Burner, Models VJ-275, VJ-195 and VO-275, when installed in accordance with the provisions of the Oil Burner Rules of the Board of Standards and Appeals and with the following additional recommendations:

1. That no connection shall be made through any movable section of the range or stove in which this device is installed.
2. When exposed oil piping is more than 8 in. in length same shall be enclosed in iron or steel piping or BX cable. Such piping shall be securely fastened to the floors or walls with non-combustible fastenings as per Rule 7.1.1 and 7.1.2.
3. That the stand supporting the burners in the fire box of the range or stove shall be securely bolted to the bottom thereof.
4. That dampers in the fire box door of the range or stove shall be so fixed that they cannot be fully closed.
5. The oil supply container with its stand shall be firmly anchored to the floor and at a distance of at least 24 inches from the range or stove in which the device is installed.
6. Cracks or crevices between the combustible chamber and other parts of stove or range shall be effectively sealed with fire clay or other suitable approved material.
7. Only approved safety cans shall be used for the storage and filling of oil containers.
8. Storage containers shall not be filled in same room when and where burner is in operation.
9. Floor beneath oil burner device shall be protected by shield of at least ½ in. asbestos or other equivalent material, this shield to extend at least 12 in. beyond the outline of the stove or range in which the device is installed.
10. The device shall bear a label permanently attached thereto reading as follows:

NOTICE
APPROVED BY THE
BOARD OF STANDARDS AND APPEALS
For Use in New York City
Under Cal. No. 329-34-SA

11. That the device shall be connected by a suitable flue pipe to a legal chimney, in accordance with the requirements of the Administrative Code, such chimney to be provided with a readily accessible clean-out door; that this flue be provided with a suitable stack check to nullify down draft.
12. The fuel oil used in this device shall be range oil or No. 1 or No. 2 fuel oil.

Resolved further, that this device may also be marketed under the name of "ORLANDO RANGE OIL BURNER,

MINUTES

Models VJ-275, VJ-195 and VO-275", *on condition* that under whichever name marketed, the requirements herein set forth shall be complied with.

Adjourned, 4:00 P. M.
EDWARD V. BARTON, Chief Clerk.

SPECIAL MEETING

FRIDAY MORNING, OCTOBER 28, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

RULES

835-38-SR.
APPLICANT—Department of Water Supply, Gas and Electricity, City of New York.
SUBJECT—Proposed Rules re Submerged Inlets and Protective Methods to be Applied to Prevent Contamination of Water Supply—adoption of.
APPEARANCES—Ormond J. Burke, Deputy Commissioner Correale, E. J. Drumm, Deputy Commissioner Sol Pincus, J. L. Murphy, M. Collejo and Wm. Dodd.
ACTION OF BOARD—Laid over for 'further consideration by the board. No date set.

APPEALS FROM ADMINISTRATIVE ORDERS

850-38-A.
APPLICANT—James Haughey, neighboring property owner.
OWNER OF PREMISES—Henrietta Coopersmith.
SUBJECT—Appeal from a decision of the borough superintendent of buildings re—Revocation of Certificate of Occupancy No. 2289-34 for stable for more than five (5) horses (Riding Academy).
PREMISES AFFECTED—North side of Walling street, 100 ft. east of Northern boulevard (southeast corner of Sybilla street and Viola place); (Block No. 3895, rear of Lot No. 1), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: Victor D. Borst, Jr.
For Owner: Irving Coopersmith and Henrietta Coopersmith.
For Administration: Benjamin Saltzman, Department of Housing and Buildings and Dr. Oberwager, Health Department.
ACTION OF BOARD—Laid over to November 4, 1938, at 10 A. M., on request of representative 'for owner.

851-38-A.
APPLICANT—James Haughey, neighboring property owner.
OWNER OF PREMISES—Henrietta Coopersmith.
SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 2290-34 for stable for more than five (5) horses (Riding Academy).
PREMISES AFFECTED—East side of Northern boulevard, 92 ft. north of Walling street (Block No. 3895, Lot No. 29), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: Victor D. Borst, Jr.
For Owner: Irving Coopersmith and Henrietta Coopersmith.
For Administration: Benjamin Saltzman, Department of Housing and Buildings and Dr. Oberwager, Health Department.
ACTION OF BOARD—Laid over to November 4, 1938, at 10 A. M., on request of representative 'for owner.

852-38-A.
APPLICANT—James Haughey, neighboring property owner.
OWNER OF PREMISES—Henrietta Coopersmith.
SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 2288-34 for stable for more than five (5) horses (Riding Academy).
PREMISES AFFECTED—North side of Walling street, 100 ft. east of Northern boulevard (northwest side of Walling street and Wanda place); (Block No. 3895, front of Lot No. 1), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: Victor D. Borst, Jr.
For Owner: Irving Coopersmith and Henrietta Coopersmith.
For Administration: Benjamin Saltzman, Department of Housing and Buildings and Dr. Oberwager, Health Department.
ACTION OF BOARD—Laid over to November 4, 1938, at 10 A. M., on request of representative 'for owner.

853-38-A.
APPLICANT—James Haughey, neighboring property owner.
OWNER OF PREMISES—Henrietta Coopersmith.
SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 2284-34 for stable for more than five (5) horses (Riding Academy).
PREMISES AFFECTED—Northwest corner of Walnut street and 71st (Continental) avenue (Block No. 2805, Lot No. 1), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: Victor D. Borst, Jr.
For Owner: Irving Coopersmith and Henrietta Coopersmith.
For Administration: Benjamin Saltzman, Department of Housing and Buildings and Dr. Oberwager, Health Department.
ACTION OF BOARD—Laid over to November 4, 1938, at 10 A. M., on request of representative 'for owner.

854-38-A.
APPLICANT—James Haughey, neighboring property owner.
OWNERS OF PREMISES—Luigi Clinco and Amalia Clinco.
SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 1215-23 for fur dressing factory.
PREMISES AFFECTED — 90-20 70th drive (Wanda place), east side, 353 ft. 5 in. south of Metropolitan avenue (east side of Wanda place, 350 ft. south of Metropolitan avenue); (Block No. 3896, Lot No. 56), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: Victor D. Borst, Jr.
For Owner: R. S. Moorhead.
For Administration: Benjamin Saltzman, Department of Housing and Buildings and Dr. Oberwager, Health Department.
ACTION OF BOARD—Laid over to November 18, 1938, at 10 A. M., on request of representative 'for owner.

855-38-A.
APPLICANT—James Haughey, neighboring property owner.

MINUTES

OWNER OF PREMISES—Henrietta Coopersmith.
SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 2286-34 for stable for more than five (5) horses (Riding Academy).
PREMISES AFFECTED—North side of Walling street, 150 ft. east of Northern boulevard (north side of Walling street, 180 ft. east of Westerly Lot Line); (Block No. 3895, Lot No. 34 and part of Lot No. 35), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: Irving D. Borst, Jr.
For Owner: Irving Coopersmith and Henrietta Coopersmith.
For Administration: Benjamin Saltzman, Department of Housing and Buildings and Dr. Oberwager, Health Department.
ACTION OF BOARD—Laid over to November 4, 1938, at 10 A. M., on request of representative 'for owner.

856-38-A.
APPLICANT—James Haughey, neighboring property owner.
OWNER OF PREMISES—Henrietta Coopersmith.
SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 2287-34 for stable 'for more than five (5) horses (Riding Academy).
PREMISES AFFECTED—North side of Walling street, 200 ft. east of Northern boulevard (northwest corner of Walling street and Wanda place); (Block No. 3895, Lot No. 35), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: Irving D. Borst, Jr.
For Owner: Irving Coopersmith and Henrietta Coopersmith.
For Administration: Benjamin Saltzman, Department of Housing and Buildings and Dr. Oberwager, Health Department.
ACTION OF BOARD—Laid over to November 4, 1938, at 10 A. M., on request of representative 'for owner.

Adjourned, 12:00 M.

EDWARD V. BARTON, Chief Clerk.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals, August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and he shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:—

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.
(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or equipped with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire-retarding material.
(3) Such chemical fire extinguishers as the administrative official may direct are installed.
(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;
(2) Such chemical fire extinguishers as the administrative official may direct are installed;
(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

RULES

RULES FOR FUSION WELDING AND GAS CUTTING.

RULES COVERING THE SPECIFICATIONS FOR DESIGN, FABRICATION AND INSPECTION OF FUSION WELDED STRUCTURES AND THE QUALIFICATIONS OF WELDERS AND SUPERVISORS.

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 25, 1938.
EFFECTIVE MARCH 21, 1938.

[Cal. No. 1-38-SR]

Authority:
Pursuant to the authority vested in the Board of Standards and Appeals by Section 666, paragraph 2, of the Charter of the City of New York and C26-514.0 of the Administrative Code (8.6.2.2).

SCOPE.

These rules are supplementary and additional to the requirements for Fusion Welding as permitted under C26-514.0 of the Administrative Code (8.6.2.2) reading:

Fusion welding may be substituted for, or used in combination with, riveting or bolting to connect or assemble the component parts of steel beams, girders, lintels, trusses, columns and other structural steel used in building construction if done under rigid inspection and specification, in accordance with the rules of the Board. These Rules shall also apply to gas cutting.

NOTE: Where a reference in parenthesis appears after the Administrative Code Section, it refers to the Section of the New Building Code as formerly numbered.

Rule 1. Application For Permits.

1.1 No person shall perform gas or electric welding on structures or parts thereof erected or to be erected within the City of New York except as provided in these Rules and in conformity with C26-211.0 of the Administrative Code (2.3.2).

1.2 The commencement of any structural welding work is forbidden until an application for a permit to perform such work is filed with and approved by the superintendent. The superintendent shall be notified in writing at least 48 hours prior to the date when the structural welding work is to commence. C26-172.0 of the Administrative Code (2.1.1.12).

Rule 2. Definitions.

2.1 ARC WELDING. A fusion welding process wherein the welding heat is obtained from electric arc formed between the base metal and metal electrode.

2.2 BASE METAL. The metal upon which the weld or cut is made.

2.3 BUTT WELD. A butt weld is a weld whose throat lies in a plane disposed approximately 90 degrees with respect to the surfaces of at least one of the parts joined. The size of a butt weld shall be expressed in terms of its net or unreinforced throat dimension in inches. C26-158.0 of the Administrative Code (1.149).

2.4 CONTINUOUS WELD. A weld which is uninterrupted throughout the length of the joint.

2.5 CRATER. An unfilled concave depression in the fusion area of an arc weld resulting from penetration of the welding arc into the metal thereunder.

2.6 FILLER METAL. Metal especially prepared for addition to the weld. This term shall apply to this material only before deposition.

2.7 FILLET WELD. A fillet weld is a weld of approximately triangular cross section, whose throat lies in a plane disposed (inclined) approximately 45 degrees with respect to the surfaces of the parts joined. The size of a fillet weld shall be expressed in terms of the width in inches of its adjacent fused sides. C26-158.0 of the Administrative Code (1.149).

2.8 FLAT WELD. A weld made by the fusion welding process on a horizontal plane or one inclined not over 45 degrees to the horizontal, the weld being made from the upper side of the parts joined.

2.9 FUSION WELDING. Fusion welding is the process of joining metal parts in the molten, or molten and vapor states, without the application of mechanical pressure or blows. Under these rules fusion welding is restricted to arc and gas welding processes. C26-75.0 of the Administrative Code (1.67).

2.10 GAS CUTTING. Gas cutting is the process of severing ferrous metals by means of the chemical behavior of oxygen, in the presence of ferrous metals at high temperatures, to produce a kerf, or cut, of uniform width without burning the edges of the kerf or cut. C26-77.0 of the Administrative Code (1.69).

2.11 GAS WELDING. A fusion welding process in which the heat of welding is supplied by the combustion of oxygen and acetylene or other fuel gas in a suitable torch. Filler metal may be melted from a welding rod. Under these rules, gas welding is restricted to the oxy-acetylene process wherein filler metal is added.

2.12 HORIZONTAL WELD. A weld made by the fusion welding process on a plane vertical or inclined less than 45 degrees with the vertical, the linear direction of the weld being horizontal or inclined not more than 45 degrees to the horizontal.

2.13 LAYER. A stratum of weld metal of a fusion weld and consisting of one or more interwoven beads.

2.14 OVERHEAD WELD. A weld made by the fusion welding process on a horizontal plane or one inclined not over 45 degrees to the horizontal, the weld being made from the underside of the parts joined.

2.15 OVERLAP. A condition of lack of fusion where the deposited metal has overflowed the fused area of metal.

2.16 PENETRATION. The linear distance that the deposited metal penetrates below the original surface of the base metal.

2.17 ROOT. A root is the zone at the bottom of the cross-sectional space provided to contain a fusion weld. C26-312. (CL) of the Administrative Code (1.122).

2.18 SLOT WELD. A weld made in an enclosed or partially enclosed opening formed in one of the parts of a lap joint.

2.19 SUPERINTENDENT. Wherever the word "Superintendent" appears in these Rules, it shall mean the Superintendent of Housing and Buildings of the borough having jurisdiction.

2.20 TACK WELD. A weld of random size or shape intended only to fix a member or part thereof of a structure, in correct position preparatory to final welding, and shall not be considered to transmit stress.

2.21 THROAT. The minimum thickness of a weld along a straight line passing through the root. Throat of a fillet weld is the distance along a line from the root to the hypothenuse at right angles thereto, of the largest isosceles triangle which can be constructed in the cross section of the fillet weld. The throat of a butt weld shall be equal to the thickness of the thinner part joined. C26-53.0 of the Administrative Code (1.144).

2.22 UNDERCUT. A condition wherein the base and weld metal is melted away leaving a depression, the surface of which lies below the designed surface contour of the joint.

2.23 VERTICAL WELD. A weld made by the fusion welding process on a plane vertical or inclined less than 45 degrees with the vertical, the linear direction of the weld being vertical or inclined not more than 45 degrees to the vertical.

2.24 WELD DIMENSIONS. The dimensions of a weld shall be expressed in terms of its size and length. C26-158.0 of the Administrative Code (1.149).

2.25 WELD LENGTH. Shall be considered to be the unbroken length of the full cross-section of the weld exclusive of the length of any craters. C26-158.0 of the Administrative Code (1.149).

ule 3. Design and Supervision.

3.1 The licensed architect or licensed professional engineer designing or supervising the construction of a welded structure shall be experienced and skilled in such work. C26-515.0 (c) (8.6.2.3.3).

3.2 PERMISSIBLE UNIT STRESSES.

In the design of welded structures or parts thereof the ress at every connection must be accurately calculated d the required amount and the exact type and location weld and filler metal with respect to the parts joined specified.

3.2.1 Welded joints shall be so proportioned that the maximum stresses shall be less than the following amounts in pounds per square inch:

Shear on section through the throat of a weld	11,300
Tension on section through the throat of a weld	13,000
Compression on section through the throat of a weld	15,000

Maximum fiber stresses due to bending shall not exceed the maximum values allowed above for tension and compression respectively. C26-368.0b (6) of the Administrative Code (7.4.5.6).

3.2.2 Stress on a fillet weld shall be considered as shear for any direction of the applied stress.

3.2.3 Adequate provision shall be made for bending stresses due to eccentricity in the disposition or section of base metal parts.

3.2.4 The allowable compressive strength mentioned in these Rules is not intended to prevent butt welds being used across the entire section to transmit the total compressive stress in compressive flanges of beams, girders, truss plates or compression blocks or other members protected against lateral deflection even though such stress exceeds 15,000 lbs. per sq. in., but not exceeding the maximum allowable compressive stress in the parts joined.

3.3 WORKING STRESSES FOR WINDLOADS. When the stress in any member due to wind is less than 33⅓% of the stress due to live and dead loads, it may be neglected. For combined stresses due to wind and other loads, the permissible working stresses may be increased 33⅓%, provided the section thus found is at least that required by the dead and live loads alone. For stresses due to wind only, the permissible working stress shall be the same as for live and dead loads. C26-372.0, 373.0 and 374.0 of the Administrative Code (7.4.8).

3.4 WELDED GIRDERS. In welded girders the connection of component parts of flanges to each other and of flanges to webs shall be by continuous or intermittent fillet welds designed to transmit the stress. C26-520.0 (d) of the Administrative Code (8.6.2.8.4).

3.5 Girders shall be proportioned either by their moments of inertia or by the flange-area method; in the latter method, when applied to a welded girder having no holes in the web, 1/6 of the web area may be considered a part of the area of each flange. Stiffeners may be either angles or flat plates, welded to the web and flanges by welds designed to transmit the stresses.

3.6 BEAMS. The use of continuous beams and girders, shall be permitted provided their welded connections be designed to transmit the stresses involved in continuous beam construction and columns are designed for the moment added by such construction. At the ends of non-continuous beams, the connections shall be designed to avoid excessive secondary stresses due to bending.

3.7 WELDED COLUMNS. C26-520.0 (e) of the Administrative Code (8.6.2.8.5). Fillet welds connecting the component parts of a built-up column may be either continuous or intermittent. If intermittent. the length of each weld at the ends of the column shall be equal to the least width of the column. The length of the intervening welds shall be at least one and one-half inches, spaced at most four inches in the clear. The size, length and spacing of the fillet welds shall be such as to provide the same strength, per unit of column length, as the allowable shearing stresses in structural steel for power driven rivets. Lattice bars and tie plates shall be welded so as to obtain strength equal to that specified in C26-368.0b (6) of the Administrative Code (7.4.5.4). Shearing stresses.

3.7.1 Where column splices are welded, welds must be provided equal in strength to the shear of the standard column splice.

3.8 WELDED BUTT JOINTS. The edges of base metal parts, one-quarter inch or more in thickness, transmitting stress by means of butt welds shall be beveled. For single and double "V" joints, the bevel of each part shall be at least 30 degrees. For single and double bevel joints, the bevel shall be at least 45 degrees.

Before welding, the root edge or face of one part shall be separated from the root edge or face of the other part by not less than 1/16 inch nor more than ¼ inch.

Butt welds shall be reinforced by depositing additional metal on the weld to a height extending beyond the surface of the thinnest part joined. The height of such reinforcement shall be at least the following percentages of the thickness of the thinnest part joined: 20 percent for single "V" and single bevel butt welds, and 12½ percent on each side, for double "V" and double bevel butt welds. C26-520.0(f) of the Administrative Code (8.6.2.8.6).

3.9 FILLET WELDS. The length of any fillet weld shall be made not less than four times the weld size or else the size of the weld shall be considered not to exceed ¼ of the length for purposes of calculating strength under these rules.

3.10 WELDS IN SLOTS OR HOLES. When welding inside a slot or hole in a plate or other part, in order to join same to an underlying part, fillet welding may be used along the wall or walls of the

slot or hole, but the latter shall not be filled with weld metal or partially filled in such manner as to form a direct weld-metal connection between opposite walls, except that fillet welds along opposite walls may overlap each other for a distance of one-fourth of their size. No slot or hole shall be less in width or diameter than 1½ times its depth.

3.11 FIELD RIVETED, BOLTED AND WELDED CONNECTIONS. C26-521.0 of the Administrative Code (8.6.2.9).

3.11.1 In tier structures less than 125 feet high, in which the height is less than two and one-half times the minimum horizontal dimension, all column splices and field connections may be bolted.

3.11.2 In structures in which the height is over 100 feet and is more than two and one-half times the minimum horizontal dimension, and in structures 100 feet or less in height in which the height is more than four times the minimum horizontal dimension, column splices and connections to columns shall be riveted or welded.

3.11.3 In structures over 125 feet in height and in all structures of a special character, connections of beams and girders to columns, and beams and girders bracing columns shall be riveted or welded. Column splices in structures 200 feet or more in height shall be riveted or welded. Column splices in tier structures less than 200 feet high (except as provided in the preceding paragraph) may be bolted.

3.11.4 All other field connections may be bolted (except that, in all structures, the connections for supports for running machinery or other moving loads shall be riveted or welded).

3.11.5 Within existing structures steel work for alterations, or additions (except to the main structural framework), which do not affect existing column splices, connections and other riveted or welded work, may be bolted.

3.12 COMPLETION OF WORK.
Upon the completion of all structural welding operations, the licensed architect or licensed professional engineer responsible for the design of the structure shall certify to the Superintendent that the fabrication and welding of such structure have been carefully inspected and that the requirements of his design and these Rules have been fulfilled in every respect by the contractor who has done the welding.

Rule 4. Board of Examiners for Welders.

4.1 The Board of Examiners for Welders provided for in C26-209.0 of the Administrative Code (2.3), shall be appointed by the Commissioner of Housing and Buildings from members of the staff of the Department as recommended by the Superintendents. All certificates of qualification issued shall be uniform for the five Boroughs. There shall be a separate certificate for gas welding and for electric arc welding, which certificates shall not be interchangeable and shall apply specifically to the type of work to be done and shall be issued in accordance with Rule 5.

4.2 WELDERS TO BE QUALIFIED. No person shall perform welding work on any structural member of a structure without having obtained a certificate of qualification from the Board of Examiners for Welders. C26-211.0 of the Administrative Code (2.3.2).

4.2.1 Before a certificate of qualification may be issued authorizing a person to perform welding work on any structural member of a structure, the person applying for such certificate shall have submitted to and satisfactorily passed an examination to determine his qualifications, conducted by Board of Examiners for Welders to be appointed by the Commissioner. A certificate of qualification shall be issued to each applicant having proved his qualifications and upon the payment of a fee of Two Dollars. Such certificate shall continue in effect for a period of one year unless sooner revoked or suspended and to be effective thereafter shall be renewed annually. The annual renewal fee shall be One Dollar.

4.2.2 No person shall be eligible for a certificate of qualification to perform welding work as provided in this section unless he is a citizen of the United States of America.

4.2.3 The Superintendent may revoke or suspend a certificate of qualification of any person, if workmanship on any structural welding is such as to indicate incompetency or negligence which might endanger a structure or result in injury to humans.

Rule 5. Qualification Test for Welders.

5.1 These qualification tests shall be conducted by the Board of Examiners for Welders or its representative but, in the discretion of the Board of Examiners for Welders documentary or other evidence, or both, that the applicant has passed the qualification test, conducted by a standard testing laboratory or an inspection by the Superintendent or his representative may be accepted as satisfactory proof of the applicant's fitness to make structural welds in accordance with Rule 5.4. Welders performing work outside New York City may be qualified under this rule. C26-381.0 of the Administrative Code (8.1.2).

5.2 Qualification for arc welding shall not constitute qualification for gas welding, and vice versa. Qualification for welding with bare electrodes shall not constitute qualification for welding with flux-coated electrodes, and vice versa.

5.3 The foregoing provisions are not intended to bar an applicant from further trial in case of one or more failures, or to require an operator who has passed the tests to qualify anew for every job he may undertake.

5.4 QUALIFICATION REQUIREMENTS.

5.4.1 Before issuance of a certificate of qualification by the Board of Examiners for welders the applicant shall have passed the qualification tests prescribed as follows:

5.4.2 The minimum qualification requirements shall be the welding of test specimens of the type shown in Fig. 2 and specified in Rule 5.4, each specimen to be tested for failure in a reliable tension testing machine and to develop ultimate resistance not less than 80 kips if welded with filler metal of grade 2, 4, 10 or 15; or 67 kips if welded with filler metal of grade 20, 30 or 40.

5.4.3 Two specimens shall be welded in the downward or flat welding position, two in the vertical welding position and if the operator is to perform overhead welding, two in the overhead welding position.

5.4.4 The form of test specimen shall be as shown in Fig. 2, consisting of four steel bars or plates connected by four approximately equal

fillet welds. The specifications of the bar steel shall conform to Rule 7. The welding edges of the splice bars shall be cut flat and square and any burrs shall be removed. The bars shall be clamped securely together and tack welded in proper position with the splice bars centered on the main bars and the faces of the main bars in true planes, in preparation for the test welding. Welding shall be performed with the same process (arc or gas), the same welding procedure, and the same type of electrodes or welding rods as are to be used in the work for which the operator is being tested; the diameter of electrodes or rods shall be the largest to be used in the work, for which the applicant proposes to qualify.

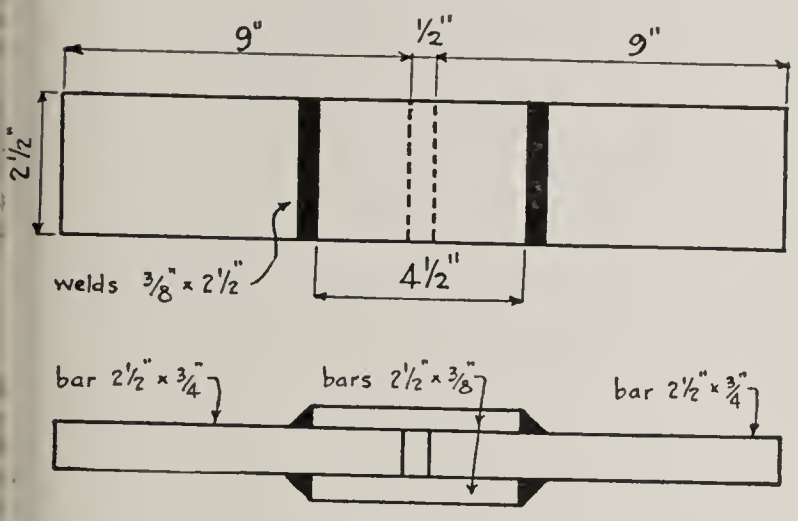


FIG. 2

Welds shall be made as nearly as possible to the designed dimensions, and in conformity with the practices set forth in Rule 6; at every cross-section the weld size in each direction shall be within 1/16 in. of the prescribed ⅜ in.

ule 6. Quality of Welds.

The quality of welds permitted under these rules shall nform to the following requirements:

6.1 The Quality of Test Welds and Construction Welds shall fulfill all requirements with regard to shape and internal quality.

6.1.1 All lap welds shall indicate good penetration to the root of the weld and good fusion at both sides of the bead.

6.1.2 All fillet welds shall show absence of undercutting, proper shape of the bead, lack of overlaps and proper fusion.

6.1.3 All butt welds shall show good fusion without overlapping or undercutting.

6.2 UNDERSIZE WELDS. Undersize or undercut welds shall be built up by welding to conform to the weld cross-section called for in the drawings and specifications. The surface of previously deposited welds shall be cleaned of oxides or slag before any reinforcing weld metal is applied.

6.3 Shape.

6.3.1 Welds shall conform in shape to those shown on Figs. 3a and 4a and shall not be undersized.

6.3.2 Surfaces of weld shall be reasonably smooth and uniform in contour. Weld metal along the toe of the weld shall not overlap the base metal surface but shall form an intimate contact therewith as shown in Figure 3.

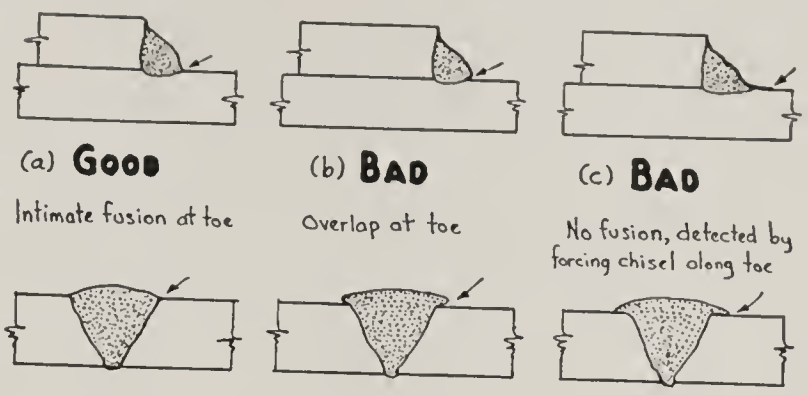


FIG. 3

6.3.3 INTERNAL QUALITY. The weld metal shall be sound throughout and shall be free from oxides, non-metallic inclusions and gas pockets. The weld metal shall be thoroughly fused with the base metal along all surfaces and edges of union, and shall penetrate into the root of the weld, as shown in Fig. 4a.

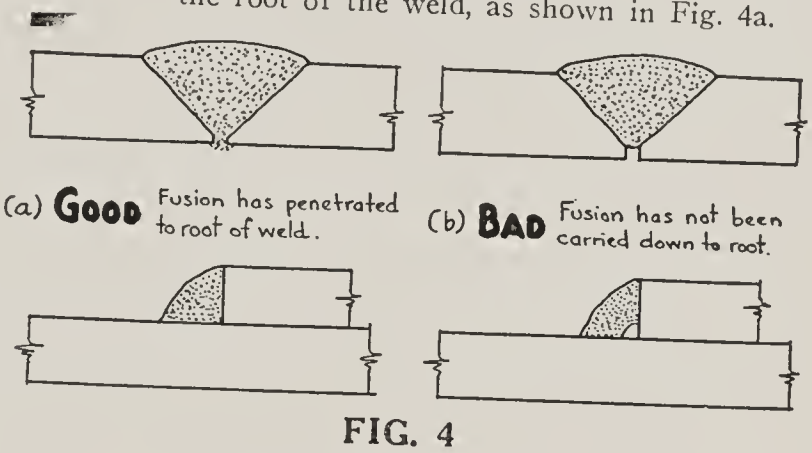


FIG. 4

6.3.4 WELD ENDS. The ends as well as the body of the welds shall conform to all the requirements of Rule 6.

Rule 7. Specifications and Tests of Welding Materials.

7.1 Structural steel shall conform to A.S.T.M. Specifications A-7-36 or A-9-36.

7.2 Filler metal (electrodes or welding rods) shall conform to all requirements of A.S.T.M. Specifications A205-37.T and the superintendent may accept certified test results from a reputable manufacturer that tests have been made in conformance with these specifications.

Rule 8. Gas Cutting of Structural Steel.

C26-526.0 (a) to (g) of the Administrative Code (8.6.3.2.1-7 inc.).

8.1 Contractors desiring to do gas cutting shall be required to satisfy the Superintendent as to their ability to produce satisfactory gas cuts.

8.1.1 Gas cutting shall be done by one experienced in this work and under the continual supervision, as provided in 9.1.

8.2 Gas cutting on any member while it is carrying stress is prohibited (except for detail cutting to correct minor fabricating errors where the removal of metal resulting from such detail cutting would leave unimpaired the required strength of the members to be cut).

8.2.1 Any field cutting of structural members to provide openings or to remove portions of flanges shall not be done, unless provided for in the design.

8.3 Gas cut edges shall be smooth and regular in contour.

8.4 Gas cutting may be used in the preparation of base metal parts for welding provided the edges are thoroughly cleaned after cutting so as to expose clean steel.

8.5 Gas cutting to replace the milling of surfaces is prohibited.

8.6 Gas cutting of holes in a member designed without provision therefor is prohibited.

8.7 The radii of re-entrant gas cut fillets shall be as large as possible and at least one inch. To determine the net area of members so cut, one-eighth inch shall be deducted from the gas cut edges.

Rule 9. Supervision and Inspection.

9.1 Any welding to be done on a structure or any part thereof shall be performed under the supervision of a representative of a standard testing agency or an inspecting agency responsible to the owner or licensed architect or licensed engineer. Such agency shall be acceptable to the Superintendent.

9.2 The agency as provided for in 9.1 shall take adequate means to assure that the preparing, gas cutting, assembling and welding of the joints of the structure conform to the design and that the resulting structure is free from deficiencies and injurious defects. He shall keep and submit daily to the licensed architect or licensed professional engineer responsible for the work adequate records of the progress of the work, of difficulties experienced, and of his decision of acceptance and rejection. His records shall allocate a definite and personal responsibility for his acceptance of every weld as to size, location, type of filler metal used and quality of workmanship, and shall evidence that no weld called for in the design has been omitted. He shall require that each welder stamp his identification symbol on his work, and the inspector after inspecting each weld shall do likewise.

9.2.1 He shall inspect for defects and irregularities, plate cracks adjacent to or behind welds crater cracks or cracks in the weld metal.

9.2.2 He shall gauge all welds for deficiency of throat or other critical cross-section.

9.2.3 He shall carefully observe and reject undercutting, overlap or lack of fusion at edges of weld, lack of penetration, or porosity, location of craters, size and shape of bead, and order occasional chipping to determine penetration and correct all or any irregularities of workmanship contrary to the design.

9.3 The contractor who is to do welding shall submit to the Superintendent a statement that the work will be done in accordance with these rules and the Administrative Code and shall include in such statement, the detailed procedure he proposes to follow, which shall include the following:

That each welder or group of welders shall be under the continual supervision of an experienced foreman.

That only welders qualified under these rules be employed. Each welder shall exhibit, when required, his Certificate of Qualification.

That each welder shall be provided with proper gauges to check his work.

That the foreman shall be able to read blueprints and shall lay out and allocate the work each welder is to perform and he shall carefully observe the burn-off of the electrode; the fusion, and penetration of crater; the formation of the bead; and the sound of the arc.

That only the base metal and filler metal conforming to the job specifications and these rules be used.

That the welding equipment furnished shall have proper characteristics to allow good work.

That whenever deemed necessary by the Superintendent, such tests of the finished welds, shall be made as required by him.

Rule 10. Workmanship on Welded Structures.

10.1 The arrangement of the joints to be welded shall be such as to enable the operator to have an unobstructed view of the surfaces to be welded at all times during the welding operation.

10.2 Welds found deficient in dimensions, but not in quality may be enlarged by additional welding. Where a deficient weld renders the weld inaccessible or has caused new conditions which would make reinforcement dangerous or ineffectual, the weld shall be removed and original conditions restored or in lieu thereof a revised design, correcting this condition shall be submitted to the superintendent. Any weld found deficient in quality, size, or made contrary to the requirements of these rules shall be removed by chipping or melting and shall be remade. The weld metal shall be removed throughout its depth to clean base metal. A cracked weld shall be removed throughout its entire length.

The cutting or chipping of a weld shall not extend into the base metal. In removing welds, care shall be taken not to burn or otherwise injure the base metal and after melting the exposed base metal shall be cleaned by chipping and wire brushing.

10.3 TACK-WELDS. In making tack-welds, the same precautions should be observed as when starting welds. Where a designed weld will later be made over the tack-weld, the tack-weld shall be made with the same care as required for designed welds.

Whenever tack-welds are located where a designed weld will later be made, they shall be made according to the foregoing requirements. When encountered in the final welding operation, they shall be thoroughly fused in with the final weld. Tack-welds should be thickest at the center and should taper at both ends for convenience in carrying the regular weld over the tack-weld (see Fig. 19).

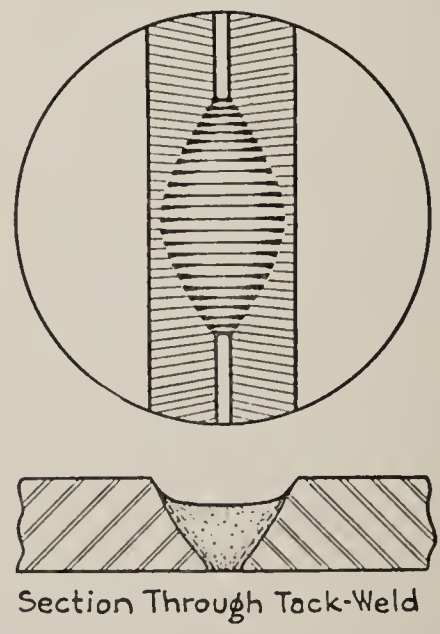


FIG. 19

10.4 Surfaces to be welded shall be free from mill scale, rust, paint or other foreign matter. A thin coat of

linseed oil or its equivalent over the surfaces to be welded need not be removed. These provisions shall apply to new structures and where new steel is to be welded to steel in any existing structure.

Structural steel shall not be painted on any areas where shop or field welding is to be performed, except that a coat of linseed oil without pigment may be used for temporary protection. However, structural members which have been painted, may be welded, provided that the paint is completely removed from the areas to be welded. Parts which are welded in the shop, to be erected by bolts or rivets, shall receive the usual painting if any is required after the shop welding is finished. Parts to be field welded shall receive a coat of linseed oil after shop work is completed, and after erection and field welding, they shall be given two coats of acceptable metal protection if painting is required. C26-522.0 of the Administrative Code (8.6.2.10).

10.5 Where rivets are under load there shall be no welding at the connections between structural members so riveted unless precautions are taken to prevent loss of tension of rivet in a manner approved by the superintendent. See 3.11.5.

10.6 In assembling and during yelding, the component parts of a built up member shall be held by sufficient clamps, or other adequate means shall be employed for temporarily fastening the members together and bracing the framework until the joints are welded. This shall consist of erection bolts or positive devices imparting sufficient strength and stiffness to resist all temporary weights and lateral forces, including wind.

For all welded structures, erection bolts, or equivalent means shall be employed for temporarily supporting the members, and existing loads, and for insuring proper alignment.

The temporary support of girders carrying columns or other heavy loads shall be made rigid by such means as shall be designed by the licensed architect or licensed professional engineer in charge and approved by the Superintendent.

In tier building erection, members shall not be erected more than two tiers, or more than one-column length above any column connections yet unwelded.

Rule 11. Metal Chimneys and Tanks.

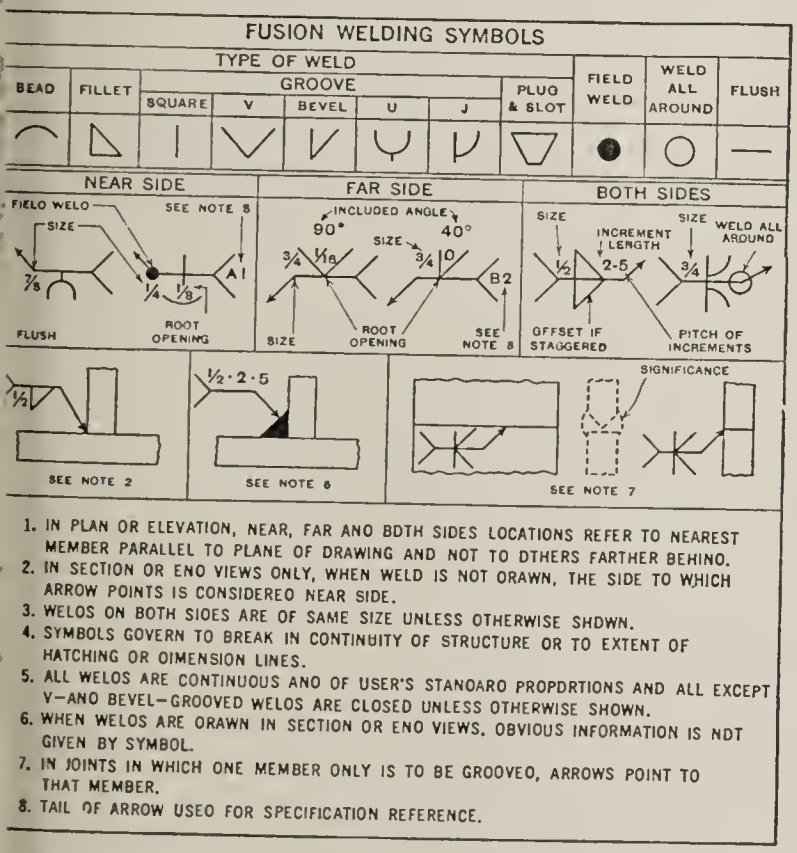
Metal Chimneys and Tanks and all materials entering into their construction, when welded, shall conform to these Rules.

APPENDIX.

The following is not to be considered as part of the Rules for Fusion Welding and Gas Cutting, but is printed for general information only:

. Weld Symbols.

To provide for uniformity when plans are filed with the uperintendent symbols for fusion welding and a method f showing them on drawing shall be as shown in figure 1.



TE: All dimensions in inches.

FIG. 1

Sizes, Chemical Composition and Tests of Filler Metal.

Standard sizes of filler metal are as follows: 1/16, 3/32, 1/8, 5/32, 3/16, 7/32, 1/4, 5/16 and 3/8 in. in diameter. In the case of coated or covered filler metal, the standard sizes refer to the diameter of the core wire.

TABLE 1.—TENSILE REQUIREMENTS FOR DEPOSITED METAL.

Grade	Base Metal	Treatment of Welded Specimen *a*	All-Weld Tension Test: Tensile Strength, min., lb. per sq. in.	All-Weld Tension Test: Elongation in 2 in., min., per cent
No. 2..	Firebox quality steel plate, tensile strength 55,000 lb. per sq. in., min.; or Steel for bridges, tensile strength 60,000 lb. per sq. in., min., with carbon not over 0.25 per cent and manganese not over 1.00 per cent., or equivalent steels.	stress-relieved	80 000	20*b*
		non-stress-relieved	80 000	15*b*
No. 4..	same as for Grade No. 2	stress-relieved	75 000	20*b*
		non-stress-relieved	75 000	15*b*
No. 10.	same as for Grade No. 2	stress-relieved	60 000	25
		non-stress-relieved	60 000	20
No. 15.	same as for Grade No. 2	stress-relieved	60 000	20
		non-stress-relieved	60 000	17
No. 20.	same as for Grade No. 2	stress-relieved	52 000	10
		non-stress-relieved	55 000	7
No. 30.	same as for Grade No. 2	stress-relieved	45 000	7
		non-stress-relieved	47 000	5
No. 40.	same as for Grade No. 2	stress-relieved	45 000	5
		non-stress-relieved	47 000	3

a Stress-relieving where called for in these specifications is for the purpose of developing the fundamental properties of the weld metal unaltered by locked-up stress. Values obtained from stress-relieved welded specimens are about 5 per cent lower in tensile strength and 10 to 20 per cent higher in ductility than those of non-stress-relieved specimens. The fact that a filler

metal test requires stress-relief signifies only that it must develop the strength required regardless of stress-relief, and not that stress-relief must always be used in actual work. Stress-relieving shall be within the range of 11 00 to 1200 F. for 1 hr. per 1 in. of thickness. Gas-welded specimens may be heat-treated at higher temperatures than the temperature specified above for stress-relief.

b It is immaterial how these high physical properties are obtained, that is, whether by carbon-steel filler metal with manganese and silicon contents or by the use of some other alloying elements, but the total amount of such other elements shall be less than 4 per cent.

CHEMICAL COMPOSITION.

The filler metal shall be capable of depositing metal conforming to the following requirements as to chemical composition:

Phosphorus, max., per cent	0.04
Sulfur, max., per cent	0.04

CHEMICAL ANALYSIS.

For arc-welding electrodes, the sample for analysis shall be prepared as follows: A specimen of standard base metal (see Table 1 below) of sufficient size, shall be prepared, and a pad of five superimposed layers of arc metal deposited thereon. The fifth or top layer shall be ground or machined away and discarded. The fourth layer shall be carefully milled off and used for the analysis specified.

For gas-welding rods, the sample for analysis may be prepared as described in preceding paragraph, except that three layers shall be considered sufficient and the top layer used for the analysis, or analysis may be made of the welding rod. In the latter case, ten rods shall be selected at random from the lot, and milled in such manner as to represent the entire cross-section.

TEST SPECIMENS.

ALL WELD METAL TENSION TESTS. The deposited metal shall conform to the minimum tensile properties specified in Table 1.

SPECIMENS (Test).

From each lot of each size of filler metal, a sufficient number of electrodes or welding rods shall be selected at random and a deposited metal specimen prepared. The specimen shall be prepared in accordance with its proposed use.

For 1/16, 3/32 and 1/8 in. filler metal, a plate 3/8 in. in thickness shall be prepared as illustrated in Fig. 5 and the sub-size all-weld tension specimen prepared as shown.

For 5/32 in. and larger sizes of filler metal, a plate 3/4 in. in thickness shall be prepared as illustrated in Fig. 6 and the tension specimen prepared as shown.

Test plates shall be so supported that warping due to welding shall not throw the finished test plate out of line by an angle of over 5 deg. If plates are warped, they shall be straightened cold before being stress-relieved where required.

SPECIAL TESTS. The Superintendent or his representative may require such additional standard tests as will properly develop the strength of the filler metal.

RETESTS. If any tension test specimen fails, additional test plates shall be prepared at the direction of the inspector.

ELECTRODES FOR MANUAL WELDING. In the case of coated or covered electrodes for manual welding, about 1 in. of the electrode shall be bare or free from coating at the one end for making contact with the holder. The arc end shall be sufficienty bare to permit easy striking of the arc, but the length of the bare portion of the arc end, measured from the end to the point where the full cross-section of the coating obtains, shall not exceed one nominal diameter.

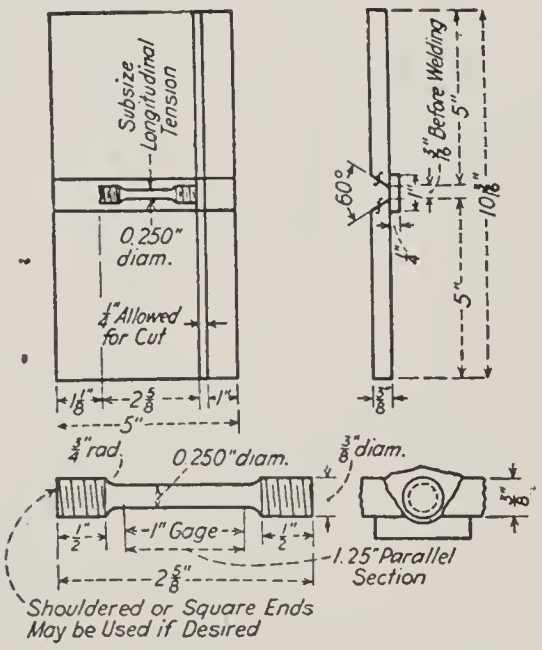
PREPARATION OF FILLER METAL.

Uncoated filler metal and the core of coated or covered filler metal shall be of uniform quality free from injurious segregation, oxides, pipe, seams or other irregularities.

On coated or covered filler metal, the coatings and coverings shall be such that they are not readily damaged by ordinary handling and shall be of commercially uniform thickness and shall present a workmanlike appearance. Coatings and coverings shall be free from injurious scabs, blisters, abnormal pockmarks, bruises or other surface defects.

The surface of gas-welding rods and bare electrodes shall be smooth and free from harmful scale, oil, or grease and shall be plain or copper finished, as specified.

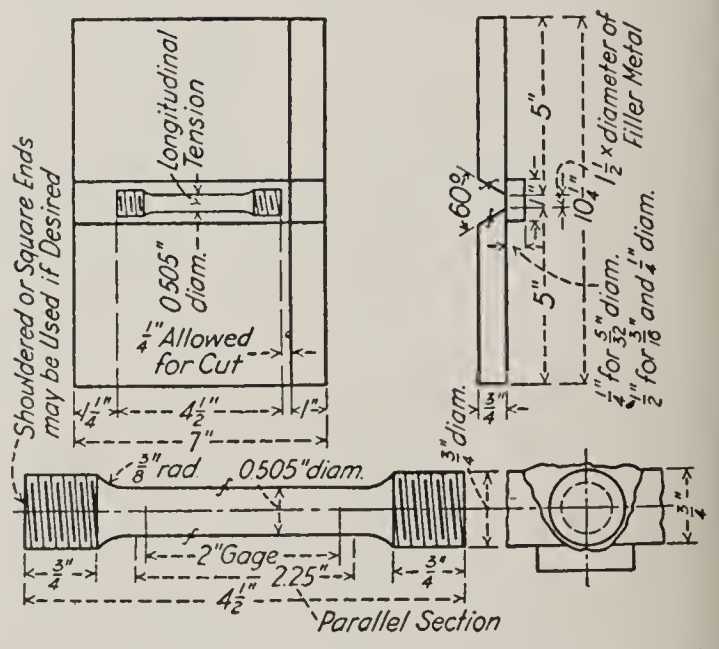
Cross-sectional dimensions shall not vary from that specified by more than 3 per cent.



Note 1.—The above plate shall be used for 1/8-in. filler metal.
Note 2.—Welds shall be deposited in either layers or beads.
Note 3.—Welds in vertical position shall be deposited upwards.
Note 4.—Electric welds shall cool to at least 100 F. between the deposition of each layer or bead.

Test Plate for 1/8-in. Diameter Filler Metal and Method of Machining Specimen.

FIG. 5



Note 1.—The above plate shall be used for filler metal 5/32-in. in diameter and larger.
Note 2.—Welds shall be deposited in either layers or beads.
Note 3.—Welds in vertical position shall be deposited upwards.
Note 4.—Electric welds shall cool to at least 100 F. between the deposition of each layer or bead.

Test Plate for Filler Metal 5/32-in. in Diameter and Larger and Method of Machining Specimen.

FIG. 6

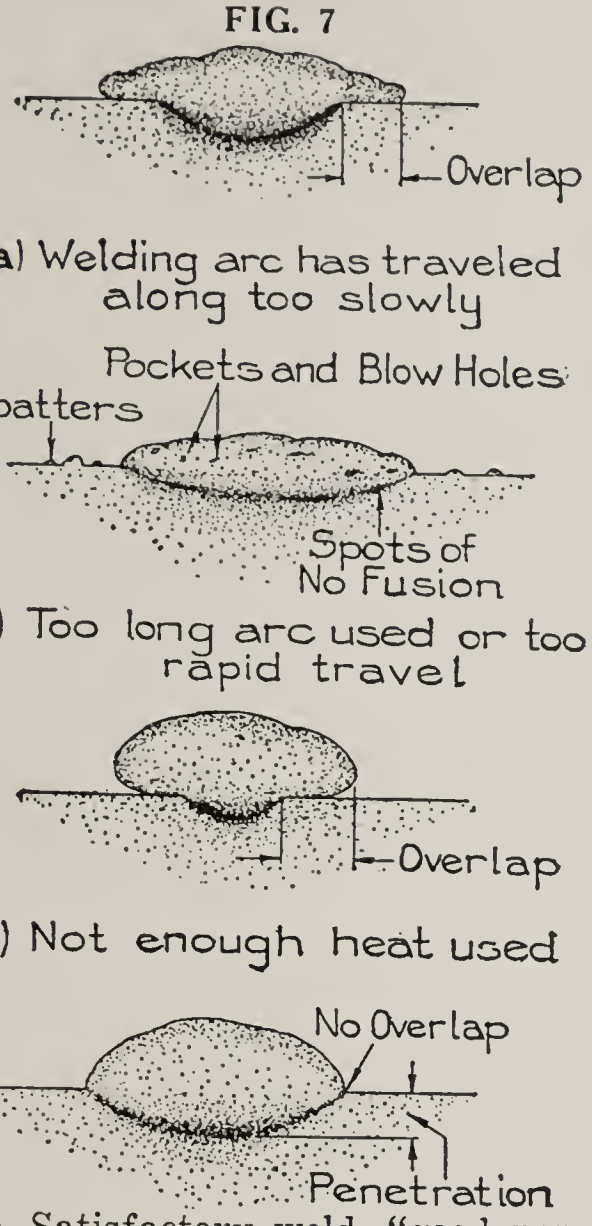
REQUIREMENTS FOR ARC WELDS

III. Bare and Lightly Coated Electrodes.

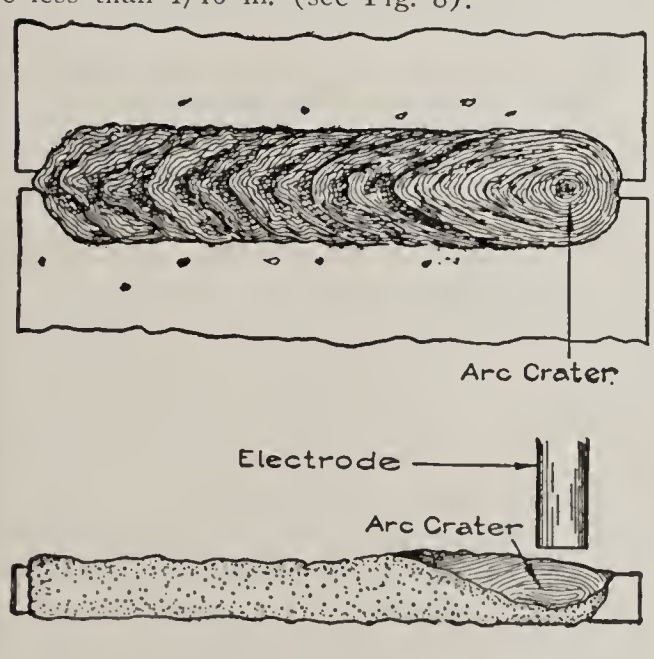
WELDING ARC. Unsound welds, insufficient penetration and overlap in general, resulting from improper arc

length and amount of current and incorrect rate of travel, are prohibited. The characteristics of these different conditions are illustrated in Figs. 7 and 8.

FIG. 7



DEPTH OF CRATER. The depth of arc crater should not be less than 1/16 in. (see Fig. 8).



Longitudinal section of deposited metal showing penetration and arc crater.

FIG. 8

LENGTH OF ARC. In manual metal arc-welding, proper fusion, penetration and soundness of weld shall be secured by using as short an arc as can be maintained for each form of weld. A typical example of proper arc length for given thickness of base metal and for a ⅜-in. fillet weld is shown in Fig. 9. When properly manipulated, the arc will throw a steady shower of small sparks, and (in the case of bare electrodes) will be accompanied by a regular, crackling, snappy sound with fractional intervals less than

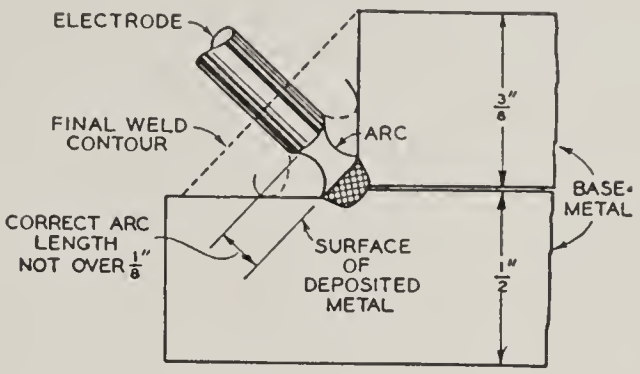


FIG. 9

one-half second between explosions. With a given current, the length of arc depends upon the arc voltage which should not exceed 20 volts.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metals to be joined. Sizes and current values shall conform to those given in Table 2. In special cases other approved sizes and currents may be specified, when permitted by the Superintendent. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding machine panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.

Table 2—Current Values and Sizes of Bare and Lightly Coated Electrodes for Various Sizes of Welds

Size of Weld In.	Minimum Number of Layers	Electrodes and Current Values
¼	1	In all these cases use either 5/32-in. electrodes with 160-180 amps., or 3/16-in. electrodes with 180-225 amps.
⅜	1	
½	2	
⅝	2	
¾	3	

MANUAL OPERATION OF ARC. The arc shall be started by drawing a long arc momentarily to preheat base metal before deposition of filler material to insure thorough fusion at start of weld, or it shall be started moving a short arc rapidly back and forward over a limited area at start.

In case of a long weld where more than one electrode is used, the arc shall be re-started about ¼ in. to ⅜ in. ahead of the crater, going back over the crater to properly fill it and keep a uniform contour, thus insuring proper preheating as in start of weld.

On single layer welds the arc shall progress with either a straight forward motion or an oscillatory motion depending on size of joint to be filled to bring it up to proper contour and insure proper fusion in root zone.

In multi-layer welding the first layer shall be deposited by moving the arc in a straight forward motion to secure proper fusion in the root zone, while subsequent layers shall be deposited with an oscillatory motion to build up the weld to the proper contour. The first layer shall be

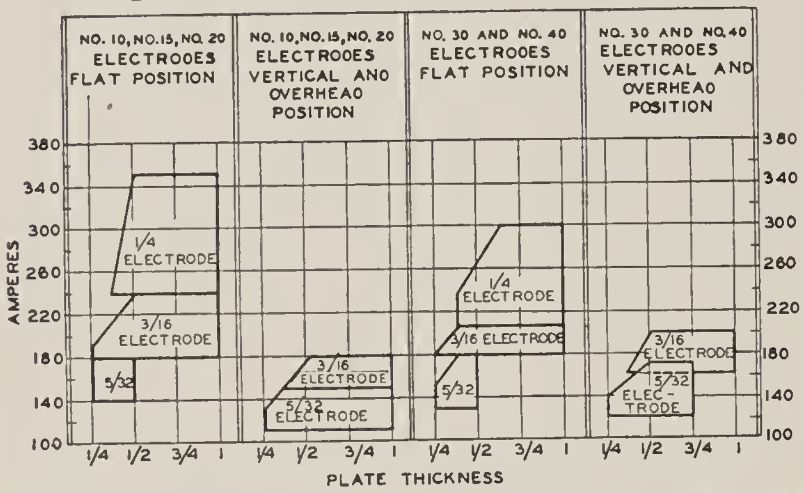
made with an electrode small enough to get thorough penetration at the root zone.

Each layer shall be thoroughly cleaned by brushing or chipping to remove all excess scale and oxides before depositing succeeding layers. The surface of each layer shall be reasonably smooth and uniform in contour.

IV. Heavily Coated Electrodes.

WELDING PROCEDURE. In making welds with heavily coated electrodes the procedure recommended by the manufacturer of the electrodes being used shall be followed, but if such instructions are not available, the procedures given below shall be followed.

CURRENT. The amount of current shall be such as will best suit the arrangement and the thickness of the base metal to be joined. The current ranges in Fig. 10 are given as a guide in selecting the best operating conditions for various electrode sizes and plate thicknesses for flat, vertical and overhead welding. In special cases, other approved sizes and amounts of current may be specified. The current and voltage used shall be measured by suitable meters, either mounted on the arc welding panel, or portable, for use at the point of welding. Allowance shall be made for line drop where the meters are not adjacent to the point of welding.



Current Values and Sizes of Heavily Coated Electrodes for Various Plate Thicknesses for Manually Welded Operations.

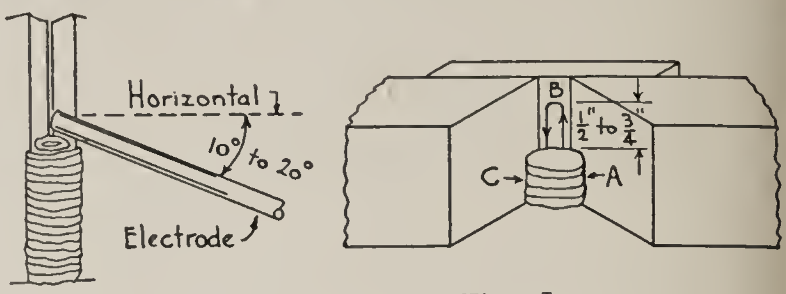
FIG. 10

WELDING PROCEDURE FOR FLAT BUTT WELDS. In making butt welds on bevel joints, weave the electrode from one side of the joint to the other. This weaving may not be necessary on the first pass. These oscillations shall be regulated so that the weld metal fuses into the side walls without directing the arc against the walls. This shall be accomplished by pointing the electrode downward and allowing the outer edges of the arc to play lightly on the walls. A stay shall be made long enough on the turns to insure complete fusion into the side walls.

The travel speed shall be regulated to limit the thickness of the layer per pass to not more than ⅛ in.

WELDING PROCEDURE FOR VERTICAL AND OVERHEAD BUTT WELDS. One-eighth (⅛)-in. and 5/32-in. diameter electrodes should be used in the vertical and overhead welding positions, but the 3/16-in. diameter may be used in vertical welding when necessary.

Vertical welds shall be made by welding upward. The first pass should be started by oscillating or weaving the electrode from side to side (Fig. 11*A*) to produce a weld metal bridge across the "V." Then the arc is to be moved rapidly upward for ½ to ¾ in. along the bottom of the "V" (Fig. 11*B*), drawing a long arc (about 30 volts), and then back down to the crater again (Fig. 11*C*), shortening the arc to its previous length. The movement up and down should require about 1/3 sec. and should be easily accomplished with a bending action of the wrist. Its purpose is to allow the molten metal in the pool to solidify and to preheat the plates ahead of the crater.

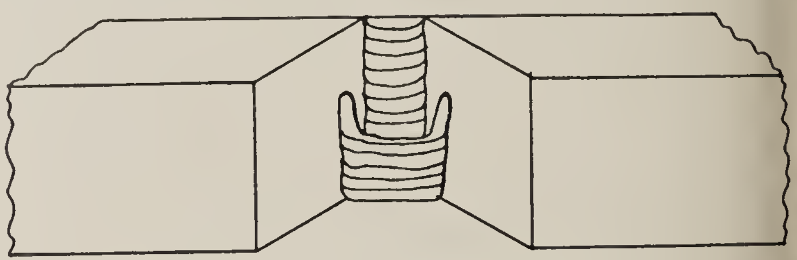


Vertical Butt Weld—First Layer.

FIG. 11

The above cycle of operation shall be repeated all the way up, each time depositing a thin layer of metal on top of the preceding layer. The travel speed on the first pass shall be regulated to limit the deposit to the equivalent of about a ¼-in. fillet weld. On succeeding passes, the thickness shall not exceed ⅛ or 5/32 in. The successive passes shall be made by this up and down technique or by successive horizontal weaving.

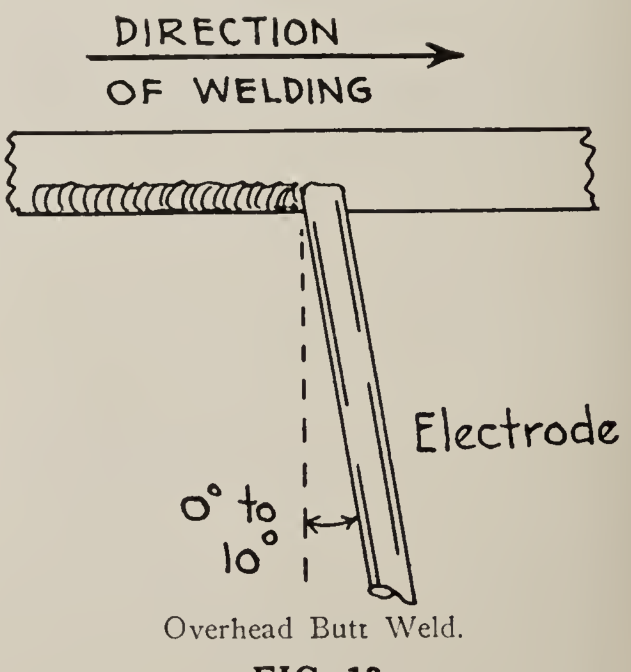
If, in making the second and succeeding passes, a procedure similar to that of the first pass shall be used, the motion (Fig. 12) to be across the pool or shelf, then upward and back at one side of the "V," then across the shelf to the other side, and up and back to the shelf again. The up and down motions shall be done rapidly, lengthening the arc while doing so. If the procedure of weaving straight across is used, it shall be similar to the above except that the up and down motion at each end of the shelf is eliminated.



Vertical Butt Weld—Second Layer.

FIG. 12

For overhead butt welds, the procedure shall be the same as that previously described for vertical welds. The electrode shall be pointed upward and sometimes leaning slightly forward, as shown in Fig. 13. A shelf on which to work shall be deposited at the start and the cycles of operation shall be the same as those for vertical welding.



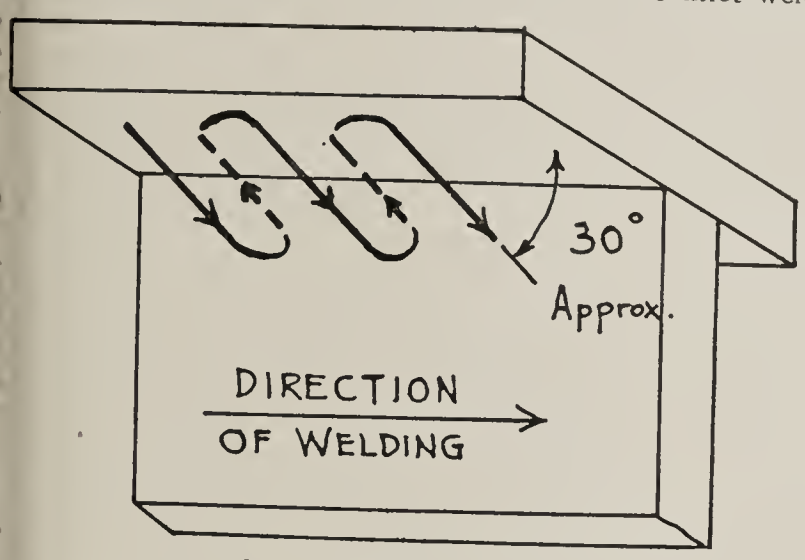
Overhead Butt Weld.

FIG. 13

WELDING PROCEDURE FOR FLAT AND OVERHEAD FILLET WELDS. For light fillet welds (¼ in. or less) and the first pass of multiple pass welds, the electrode shall be moved only in the direction of travel. The second and successive passes or heavy single-pass welds (⅜ in. for example) shall be made by weaving the electrode in a plane making an angle of about 30 degrees with the underside of the plate, as shown in Fig. 14. The solid line represents actual welding. The dotted line represents an upward skip done in about 1/3 sec.

WELDING PROCEDURE FOR VERTICAL FILLET WELDS. Vertical fillet welds shall be made in the same manner as vertical butt welds.

WELDING PROCEDURE FOR MULTI-LAYER FILLET WELDS IN ANY POSITION. In certain cases fillet welds in sizes up to ⅜ in. may be made in a single pass by holding the electrode at a suitable angle and moving it along at a uniform rate. Where the fillet weld

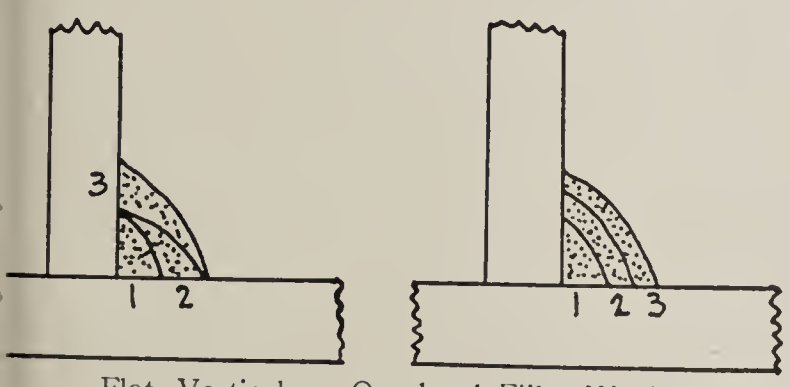


Overhead Fillet Weld.

FIG. 14

equires more than one layer, the second and subsequent yers shall be deposited as a complete spread over the reviously deposited metal or in two or more parts as own in Fig. 15.

ALTERNATE METHODS OF MAKING MULTI-LAYER WELDS



Flat, Vertical, or Overhead Fillet Weld.

FIG. 15

Requirements for Gas Welds.

WELDING FLAME. Torches may be either single or ltiple flame. The adjustment of the welding flame ll be the same as used in the qualification tests.

The size of the inner cone or inner cones shall be regued for varying thicknesses of base metal so that the per amount of heat and flame condition is obtained to properly perform the welding operation. The criterion for welding flame regulation is that the inner cone or inner cones should be of a size and character which produce sufficient heat to maintain the welding puddle in a quiet molten state, and to cause fusion of the welding puddle with the base metal.

The orifice of the welding tip shall be kept clean at all times during the welding operation so that the regular and symmetrical inner cone or cones can be maintained.

WELDING ROD. The size of the welding rod to be used shall be such that the rod shall be of sufficient diameter to maintain the welding puddle in a quiet molten state.

STARTING WELDS. In starting a weld, the base metal shall be heated to a dull red for a distance of from 1 to 2 in. along the joint so that the point of welding can be brought to the fusion temperature evenly before welding rod is added. If the weld is stopped for any reason, the same precautions should be observed upon restarting.

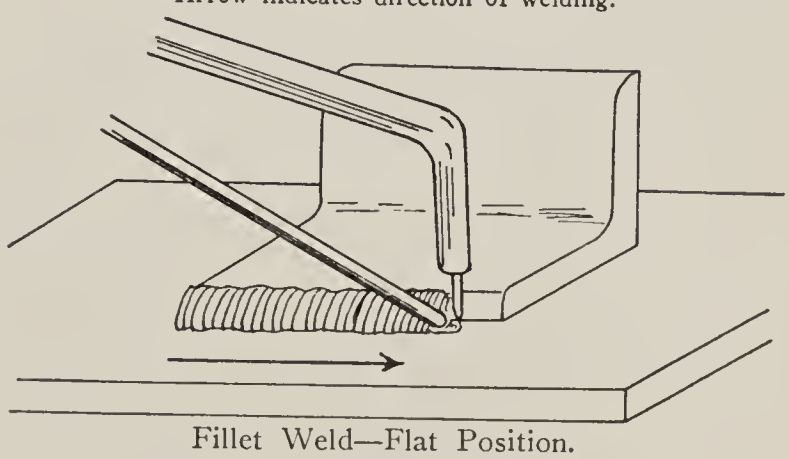
WELDING TECHNIQUE—GENERAL. The welding torch and welding rod shall be manipulated so as to maintain a definite puddle of molten weld metal without overheating either the base metal or deposited metal. The end of the welding rod shall be kept within the limits of the puddle at all times, particular care being taken not to disturb the rear edge of the puddle which might cause slag on the surface to become entrapped in the weld metal. In manipulating the flame, the tip of the inner cone shall preferably not touch either base metal, puddle or welding rod.

Either backhand or forehand technique may be employed. The various positions of welding rod and flame with respect to each other in backhand and forehand techniques are illustrated in Figs. 16 and 17.

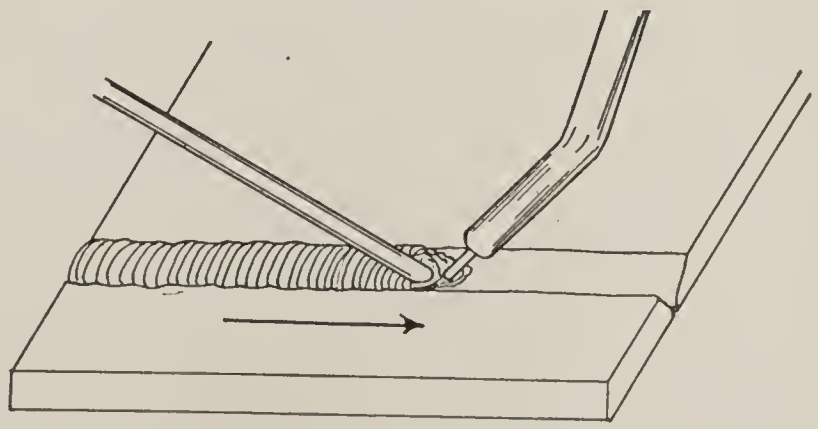
In carrying the puddle forward, the base metal surfaces just in advance of the puddle shall be prepared for fusion with the puddle by melting sufficient surface metal to remove oxides and expose sound base metal. In some cases this depth of melting may be 1/32 in. or less. Manipulation of the rod and flame in controlling the puddle shall

FIG. 16

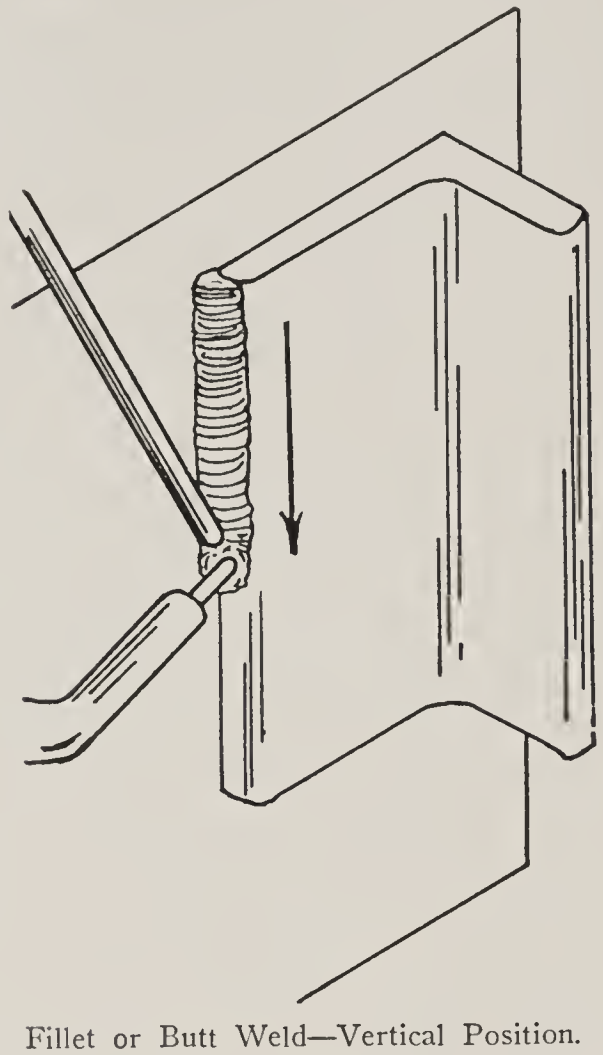
Positions of Rod and Flame in Backhand Technique.
Arrow indicates direction of welding.



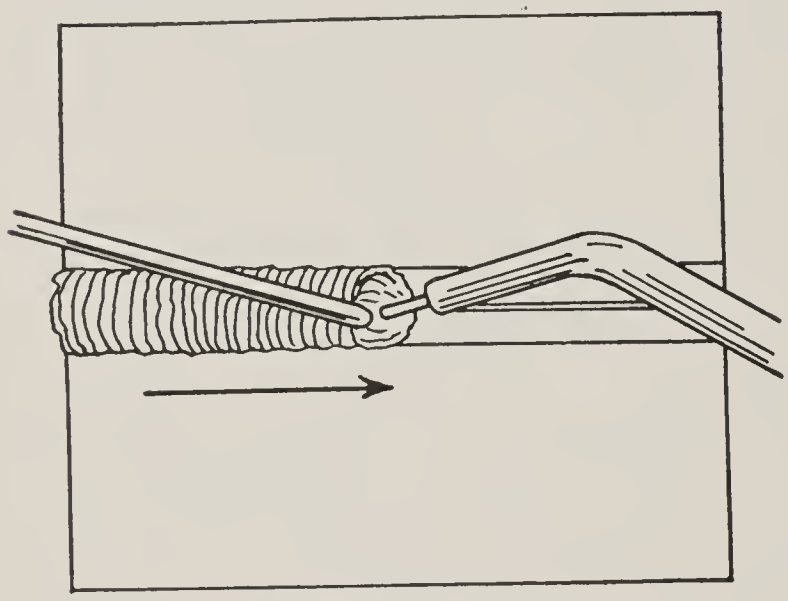
Fillet Weld—Flat Position.



Butt Weld—Flat Position.



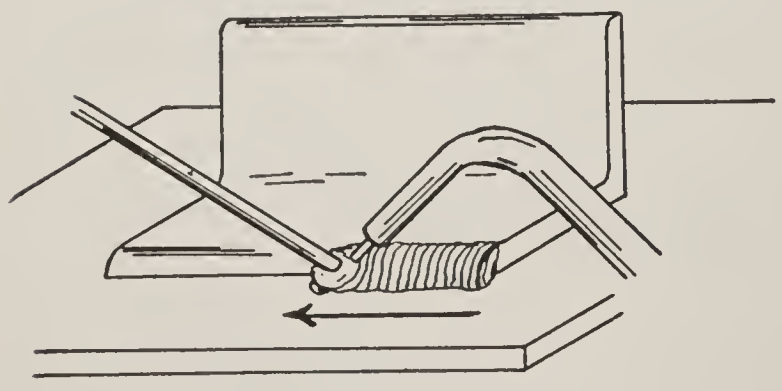
Fillet or Butt Weld—Vertical Position.



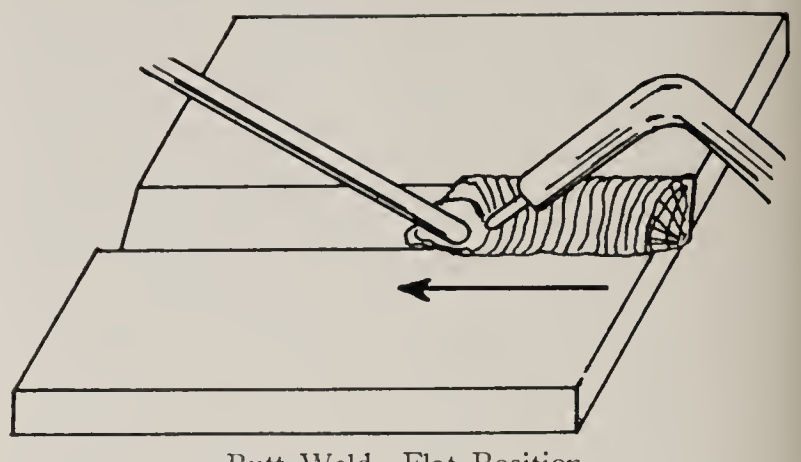
Fillet or Butt Weld—Horizontal Position.

FIG. 17

Positions of Rod and Flame in Forehand Technique.



Fillet Weld—Flat Position.



Butt Weld—Flat Position.

be such that at no time is molten metal from the puddle permitted to flow ahead until this melting has occurred.

For welding in positions other than flat, it shall be permissible to carry a fairly shallow puddle for convenience in controlling it. When using backhand technique, this shall be done by distributing the molten metal in the puddle with the end of the welding rod, providing the puddle is kept sufficiently molten so that surface oxides do not become entrapped in the weld.

FILLET WELDS. When fillet welding in the flat position, there is a tendency for the top plate to melt before the bottom plate. This shall be avoided by pointing the flame more against the lower plate as shown in Figs. 16 and 17. It is essential that fusion be secured at the inside corner or root of the joint, the welding rod and inner cone shall be manipulated so this result will be secured. If desired, the welding rod may be stirred lightly, well within the bounds of the puddle, to maintain a shallow puddle and distribute the molten metal so as to obtain readily welds of proper size and shape.

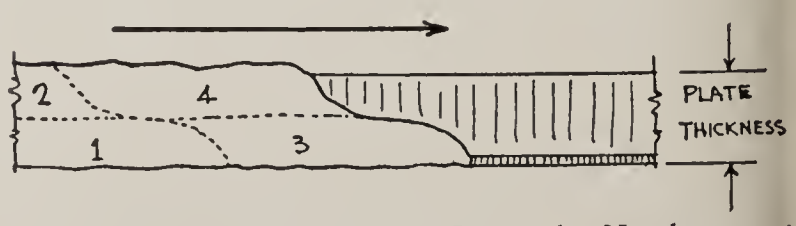
BUTT WELDS. When butt welding in the flat position, manipulation of rod and inner cone shall be such that the bottom of the vee is fused together at the same time but in advance of the upper walls of the vee so that the weight of the puddle does not cause molten metal to sag inside the joint. Where spacing of the joint exceeds 1/6 in., it is allowable to weld the bottom of the vee together in a separate operation, ½ in. to 1 in. at one time ahead of the principal point of welding.

MULTI-LAYER WELDING. Multiple layer welding may be used in place of single layer welding for all positions of welding and thicknesses of metal, but especially for welds of larger size. The criterion shall be the size of puddle that can most effectively be carried by the welder for the particular position of welding. If the completion of a weld in one layer requires a puddle larger than indicated by this criterion, two or more layers shall be made.

The layers of the weld may be made continuously for the full length, or the welding may be done by the "step" method illustrated in Fig. 18.

FIG. 18

"Step" Method of Multi-Layer Welding.

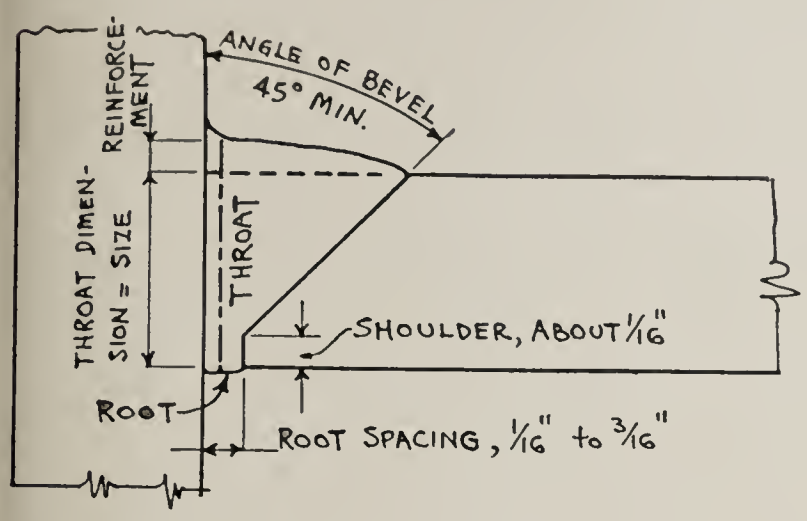


Sequence of "Step" Welds Shown by Numbers.

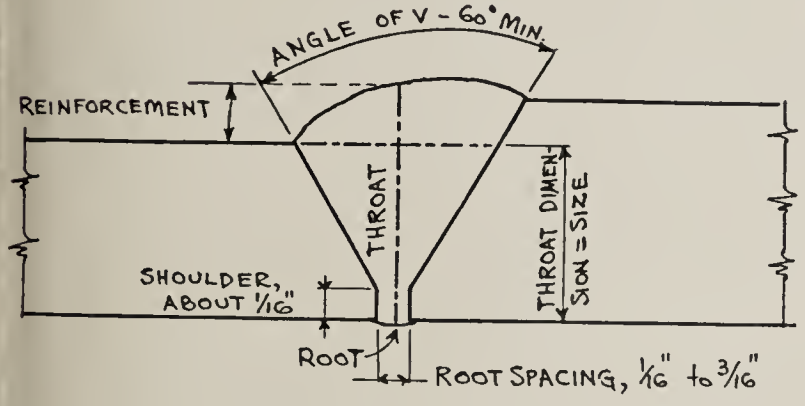
VI. Illustrations of Butt and Fillet Welds.

RULES

FIG. 20

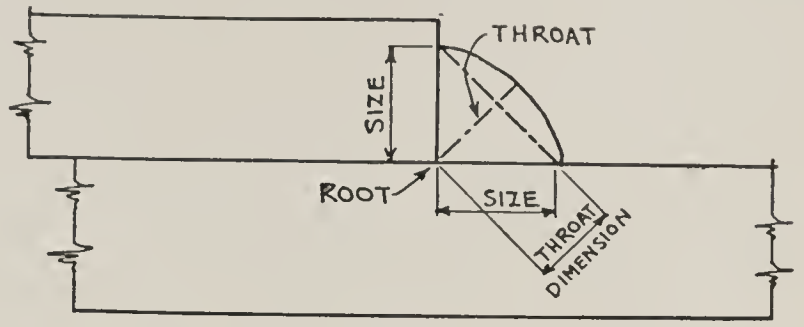


Single Bevel Butt Weld.

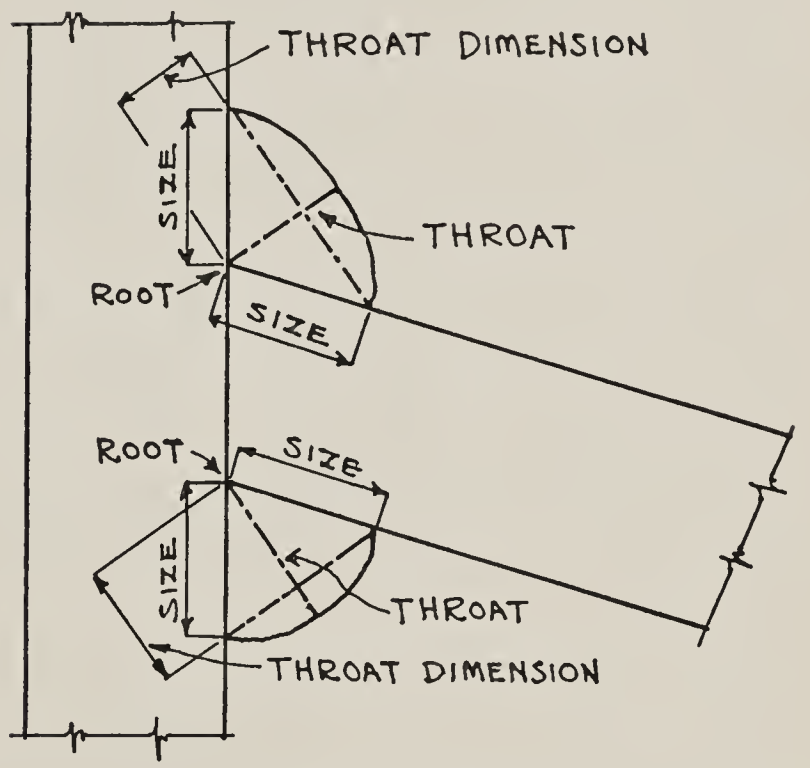


Single-V Butt Weld.

FIG. 21



Right Fillet Weld.



Oblique Fillet Weld.

APPROVED APPLIANCES

APPROVED FIRELINE HOSE VALVES

TYPE A—150 LBS. WATER WORKING PRESSURE

May be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

Name	*Calendar No.*
Fairbanks Company	81-20-SA
Walworth Company	899-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Croker National Fire Prev. Eng. Co.	304-28-SA
Jenkins Brothers	779-28-SA
W. D. Allen Mfg. Co.	890-28-SA
John Simmons Co.	209-29-SA
Grinnell	651-30-SA
Elkhart	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE

May be installed on all standpipe systems

Name	*Calendar No.*
New York Brass Foundry Co. (Stillbech)	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

APPROVED FUEL OIL FILL PIPE TERMINALS

Name	*Calendar No.*
Gee and Mason	10-36-SA
Flagg	345-35-SA
G. H. N.	292-35-SA
Newbury	223-35-SA
Preferred	213-35-SA
Rhode Island	204-35-SA
Seal-O-Strain	48-35-SA
Sealtite	231-35-SA
Simplex	214-35-SA
Weco	78-38-SA

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths (⅞) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half (2½) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth (¼) of one (1) per cent of steel mesh;

(b) Two and one-half (2½) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half (½) inch plaster boards, or three-eighths (⅜) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter (¼) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers. or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths (⅞) inch wood sheathing, one-half (½) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths (⅞) inch wood sheathing, two thicknesses of one-quarter (¼) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partition covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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CHARLES M. BLUM
CHIEF JOHN J. MCELLIGOTT
EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Certiorari Orders Served on Board.

Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting, November 1, 1938, at 10 A. M., Affecting Calendar Numbers 554-37-BZ, 552-38-BZ, 480-38-BZ and 509-38-BZ.

Minutes of Regular Meeting, November 1, 1938, at 2 P. M., Affecting Calendar Numbers 313-22-BZ, 1037-22-BZ, 497-23-BZ, 177-27-BZ, 308-33-BZ, 345-36-BZ, 245-37-BZ, 215-37-BZ, 604-37-BZ, 51-30-BZ, 191-33-BZ, 261-36-BZ, 330-36-BZ, 1-37-BZ, 766-38-A, 807-38-A, 832-38-A, 721-38-A, 768-38-A, 841-38-A, 868-38-A, 899-38-A, 918-38-A, 926-38-A, 945-38-A, 948-38-A, 949-38-A, 502-27-S, 911-38-S, 219-36-SA, 493-38-SA, 719-38-SA, 837-38-SA, 355-38-SM, 508-38-SM, 669-38-SM and 716-38-SM.

Minutes of Special Meeting, November 4, 1938, at 10 A. M., Affecting Calendar Numbers 850-38-A, 851-38-A, 852-38-A, 853-38-A, 855-38-A and 856-38-A.

Approved Fireline Hose Valves.

Oil Burner Rules.

Approved Fuel Oil Pumps.

Fire Retarding Rules for Garages, etc.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to November 1, 1938

Cal. No. *Department* *Premises Affected*

922-38-SM.....Croft Automatic Closing Lot Line Windows, manufactured by Croft Steel Windows, Inc., Material.

923-38-SA.....Washington Oil Burning Space Heater, Frogil Oil Burning Space Heater and Plymouth Oil Burning Space Heater, Appliance.

924-38-A.....H.B.B.....229-231 Atlantic avenue, north side, 175 ft. 3½ in. east of Court street (Block 277, Lots 10 and 11), Borough of Brooklyn, Applic. 14889-38.

925-38-S.....H.B.Bx.....305 East 149th street, north side, 475 ft. west of Courtlandt avenue (Block 2331, Lot 63), Borough of The Bronx, Alt. 649-38.

926-38-A.....H.B.M.....427 West 215th street, east side of Tenth avenue, between West 215th and West 216th streets (Block 2212, part of Lot 1), Borough of Manhattan, F.P. 548-38.

927-38-A.....F.D.....56 East Eleventh street, south side, 20 ft. east of University place (Block 562, Lot 12), Borough of Manhattan, 1778-L.F. and Decision.

928-38-A.....F.D.....217-219 Mercer street, west side, 132 ft. north of Bleecker street (Block 533, Lot 29), Borough of Manhattan, 1847-L.F. and Decision.

929-38-A.....H.B.Bx.....185 East 162nd street, north side, 110 ft. west of Sheridan avenue (Block 2461, Lot 1), Borough of The Bronx, N.B. 614-37.

930-38-A.....F.D.....1768 Dean street, south side, 233 ft. 2 in. west of Rochester avenue (Block 1349, Lots 21-30), Borough of Brooklyn, 75634-L.C. and Decision.

931-38-BZ.....H.B.Bx.....252 East 203rd street, south side, 72.84 ft. east of Valentine avenue (Block 3308, Lots 50 and 51), Borough of The Bronx, Slip Applic. 1330-31.

932-38-BZ.....H.B.Q.....Hillside avenue, bounded by Bessemer and Babbage streets (land under L. I. R. R.); (Block 3258, Lot 54 and Block 9262, Lot 180), Richmond Hill, Borough of Queens, Viol. 27-38 and Decision re: Corr. 1790-38.

933-38-BZ.....H.B.M.....236 West 31st street, south side, 400 ft. west of Seventh avenue (Block 780, Lot 60), Borough of Manhattan, Decision.

934-38-A.....H.B.M.....14 Second avenue, east side, 47.10 ft. south of East First street (Block 442, Lot 6), Borough of Manhattan, Alt. 2673-38.

935-38-A.....F.D.....101 Spring street and 104-108 Mercer street, northeast corner (Block 498, Lot 27), Borough of Manhattan, 974-L.F. and Decision.

936-38-SA.....De Laval Vacuum Still, Appliance.

937-38-A.....H.B.Q.....216-15 121st avenue, north side, 50 ft. west of 217th street, 216-21 121st avenue, northwest corner of 217th street, 217-09 121st avenue, north side, 50 ft. east of 217th street and 217-03 121st avenue, northeast corner of 217th street (Block 3451, Lots 1 and 60), St. Albans, Borough of Queens, N.B. 7878-38 to N.B. 7881-38.

938-38-A.....H.B.Q.....120-46 218th street, west side, 120-47 218th street, east side, 430 ft. south of 120th avenue, 217-13 121st avenue, north side, 50 ft. west of 218th street, 218-09 121st avenue, north side, 50 ft. east of 218th street, 217-19 121st avenue, northwest corner of 218th street and 218-03 121st avenue, northeast corner of 218th street (Block 3452, Lot 1 and Block 3451, Lot 60), St. Albans, Borough of Queens, N.B. 7891-38 to N.B. 7896-38.

939-38-A.....H.B.Q.....216-26, 217-02, 217-08, 217-14 217-18, 217-24, 218-02, 218-08 218-14 121st avenue, south side, 238.53 ft. east of Springfield boulevard (Block 3450, Lot 1), St. Albans Borough of Queens, N.B. 7908-38 to N.B 7916-38.

940-38-A.....H.B.Q.....50-15 Skillman avenue, nortl side, 50 ft. west of 51st avenue (Block 129, Lot 69) Woodside, Borough o Queens, Alt. 7060-38

941-38-A.....H.B.Q.....219-14 Merrick road, soutl side, 100 ft. east of 219t street (Block 3598, Lot 28) Springfield Gardens, Borough of Queens, Alt. 7508-38

CALENDAR

942-38-SA.....Scovill M.V.B. Nos. 21 and 22 Ballcocks, Appliance.

943-38-BZ.....H.B.Q.....East side of 43rd street, 150 ft. south of 43rd avenue (Block 162, Lots 9, 11 and 17), Long Island City, Borough of Queens, Decision.

944-38-SA.....Busch Street Control Box for Sprinkler and Standpipe Connection, Appliance.

945-38-A.....H.B.Bx.....1302 Elder avenue and 1521 East 172nd street, northeast corner (Block 3863, Lot 8), Borough of The Bronx, Alt. 595-38.

946-38-S.....H.B.B.....331-335 38th street, north side, 360 ft. west of Fourth avenue (Block 700, Lots 53 and 54), Borough of Brooklyn, Applic. 14427-38.

947-38-SM.....Logan-Long Built-Up Roofings and Asphalt Shingles, manufactured by The Logan-Long Company, Material.

948-38-A.....H.B.Q.....120-08, 120-12 and 120-16 135th avenue, south side, 40 ft., 80 ft., and 120 ft. east of 120th street (Block 2637, Lots 35-39), Jamaica, Borough of Queens,
N.B. 8343-38, N.B. 8345-38 and N.B. 8347-38.

949-38-A.....H.B.Q.....120-03, 120-07, 120-09, 120-13, 120-17 and 120-21 135th avenue, north side, from 120th street to 121st street (Block 2584, Lots 1, 3, 5, 8, 9 and 10), Jamaica, Borough of Queens,
N.B. 8321-38, N.B. 8323-38, N.B. 8335-38, N.B. 8337-38, N.B. 8339-38 and
N.B. 8341-38.

950-38-A.....H.B.M.....75 Washington place, north side, 176 ft. east of Sixth avenue (Block 552, Lot 66), Borough of Manhattan, E.S. 1512-38.

951-38-A.....F.D.....346-348 Broadway and 46-50 Lafayette street, southeast corner (Block 170, Lot 6), Borough of Manhattan, 1826-L.F. and Decision.

952-38-A.....H.B.M.....8 West 26th street and 1131-1137 Broadway, southwest corner (Block 827, Lot 49), Borough of Manhattan, Decision.

953-38-A.....H.B.Q.....39-04 Main street, southwest corner of 39th avenue (Block 843, Lot 48), Flushing, Borough of Queens, Alt. 4554-37.

954-38-SA.....National Gasoline Pump, Computapex Model C-38, Single, Computapex Model CC-38, Twin, Apex, Model A-38 and Apex, Model B-38, Appliance.

955-38-SM.....Phoenix Combination Screen and Storm Window, manufactured by the F. C. Russell Insulation Company, Material.

956-38-A.....F.D.....51-03 Van Dam street, southeast corner of Borden avenue (Block 305, Lot 17), Long Island City, Borough of Queens, 76812-L.C.

957-38-BZ.....H.B.M.....103-105 Waverly place, north side, 35 ft. 3 in. west of MacDougal street (Block 553, Lot 31), Borough of Manhattan, B.N. 2592-38 and Decision.

958-38-BZ.....H.B.M.....345-347 East 103rd street, north side, 125 ft. west of First avenue (Block 1675, Lots 21 and 22), Borough of Manhattan, Alt. 1387-38.

959-38-A.....F.D.....202-224 Ninth avenue, west side, from 62nd street to 63rd street, 874-884 62nd street and 879-883 63rd street (Block 5728, Lots 37-42), Borough of Brooklyn, 72853-L.C. and Decision.

960-38-A.....F.D.....72-76 Grand avenue, west side, 120 ft. north of Park avenue (Block 892, Lot 48), Borough of Brooklyn, 75660-L.C. and Decision.

961-38-A.....H.B.B.....40-62 Tehama street, north side, 375 ft. east of Chester avenue (Block 5307, part of Lot 27), Borough of Brooklyn, Applic. 15849-38.

962-38-A.....H.B.M.....133 East 47th street, north side, 145 ft. east of Lexington avenue (Block 1302, Lot 25½), Borough of Manhattan, Alt. 2679-38.

963-38-A.....H.B.B.....102 East 23rd street, west side, 190 ft. south of Avenue J (Block 7604, Lot 55), Borough of Brooklyn, Applic. 15542-38.

964-38-A.....H.B.M.....6 Chatham square, west side, 94 ft. 9 in. north of Mott street (Block 162, Lot 41), Borough of Manhattan, Decision re: Certificate of Occupancy No. 21340-36.

965-38-A.....H.B.B.....3058 Brighton 5th street, west side, 177 ft. north of Brighton Beach avenue

CALENDAR

(Block 7284, Lot 1325), Borough of Brooklyn.
Applic. 11657-38.

966-38-SM.....Supreme Window, manufactured by Supreme Window Co., Inc., Material.

967-38-BZ.....H.B.Q.....46-10 to 46-12 Greenpoint avenue, south side, 109.77 ft. west of 47th street and 45-30 47th street, west side, 124 ft. south of Greenpoint avenue (Block 153, part of Lots 13, 17 and 25), Sunnyside, Borough of Queens,
Alt. 7706-38.

Restored to Calendar

1037-22-BZ.....H.B.M.....433-439 West 218th street and 4085 Tenth avenue northeast corner (Block 2214, Lot 1), Borough of Manhattan,
Decision.

308-33-BZ.....H.B.B.....195 Prospect Park West, northwest corner of 15th street (Block 1103, Lot 48), Borough of Brooklyn,
Alt. 10730-38.

497-23-BZ.....H.B.B.....1572-1590 Bedford avenue, northwest corner of President street (Block 1273, Lot 46), Borough of Brooklyn,
Applic. 15833-38.

313-22-BZ.....H.B.Bx.....333-335 East Fordham road and 2534-2544 Bainbridge avenue, northeast corner (Block 3286, Lot 1), Borough of The Bronx,
Alt. 539-38.

177-27-BZ.....H.B.Q.....North side of Broadway (Cornaga avenue), 79.18 ft. east of Mott avenue (Block 47, Lot 78), Far Rockaway, Borough of Queens,
N.B. 18538-26.

245-37-BZ.....H.B.Bx.....2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block 3161, Lot Nos. 25 and 25½), Borough of The Bronx, N.B. 183-37.

345-36-BZ.....H.B.Bx.....2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block 3161, Lot 26), Borough of The Bronx,
Alt. 580-36.

CERTIORARI ORDERS SERVED ON BOARD OF STANDARDS AND APPEALS

On November 3, 1938, Manuel Maxwell, attorney, served on board petition and order of certiorari, on behalf of Parkway Center Building Corporation, owner, in re decision of September 27, 1938, denying gasoline station in business district, under section 21, Cal. No. 5-28-BZ, at premises 384-388 Hawthorne street, and 664 to 674 New York avenue, Borough of Brooklyn.

* * *

On November 4, 1938, Paul Friedman, attorney, served on board order of certiorari on behalf of State Engineering Corp. and ano., owners, in re decision of board of October 4, 1938, denying, partly in a residence and partly in a business use district, erection of stores, under section 21 (previously denied under 7-c and 21), Cal. No. 251-35-BZ, premises 2115-2119 Caton avenue, Borough of Brooklyn.

* * *

On November 5, 1938, Arthur Miller, attorney, served on board petition and order of certiorari on behalf of Aberdeen Garage, Inc., owner, in re decision of board of October 4, 1938, denying gasoline station, ramp, etc., as extension to adjoining garage in business district, under section 21, Cal. No. 255-38-BZ, premises 2181-2191 Jerome avenue, 3 Clinton place, and 4 West 182nd street, Borough of The Bronx.

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules....Oct.	4, 1938—Vol. 23, No. 40
Certificate of Occupancy, approved form .....Aug.	23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)...Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules .....Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
Factory Exit Rules.....Sept.	13, 1938—Vol. 23, No. 37
Fire Alarm Rules (Interior).....Oct.	4, 1938—Vol. 23, No. 40
Fire Drill Rules.....Aug.	9, 1938—Vol. 23, No. 32
Fire Retarding Rules for Garages, etc. .....Nov.	8, 1938—Vol. 23, No. 45
Fireproof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules .....Nov.	1, 1938—Vol. 23, No. 44
Gas Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection .....June	5, 1928—Vol. 13, No. 23
Oil Burner Rules.....Nov.	8, 1938—Vol. 23, No. 45
Paint, Varnish and Lacquer Spraying Rules .....Sept.	13, 1938—Vol. 23, No. 37
Platform Trucks, Specifications for.Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules .....Aug.	3, 1937—Vol. 22, No. 31
Procedure, Rules of.....Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract C.O.Sept.	27, 1938—Vol. 23, No. 39
Smoking in Factories, Rules for....Nov.	1, 1938—Vol. 23, No. 44
Sprinkler Rules .....June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting...June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves .....Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....Nov.	8, 1938—Vol. 23, No. 45
Fuel Oil Burners for Domestic and Commercial Use .....Aug.	30, 1938—Vol. 23, No. 35
Fuel Oil Fill Pipe Terminals.....Nov.	1, 1938—Vol. 23, No. 44
Fuel Oil Burners for Industrial Use.Aug.	30, 1938—Vol. 23, No. 35
Fuel Oil Pumps.....Nov.	8, 1938—Vol. 23, No. 45
Paint, Varnish and Lacquer Spraying Equipment .....Sept.	13, 1938—Vol. 23, No. 37
Range Oil Burners and Space Heaters .....Aug.	9, 1938—Vol. 23, No. 32

NOVEMBER 9, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, November* 9, 1938, at 10 o'clock, in Room 1013 Municipal Building on the following matters:

CAL. NO. 459-37-BZ—Application, September 27, 1937, under sections 7h and 21 of the building zone resolution, of MacMurray Holding Corporation, applicant and lessee, on behalf of The Mutual Life Insurance Company, owner, to permit partly in a business use district, partly in a retail use district and partly in a restricted retail use district, for a temporary period of not more than two (2) years the parking and storage of more than five (5) motor vehicles: premises 88 Seventh avenue and 201-209 West 56th street, northwest corner (Block No. 1028, Lot Nos. 25, 27, 29 and 29½), Borough of Manhattan.

CALENDAR

CAL. NO. 583-38-BZ—Application, July 8, 1938, under section 7h of the building zone resolution of Harry Yahr, applicant, on behalf of The Mutual Life Insurance Company of New York, owner, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles: premises 1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan.

CAL. NO. 595-37-BZ—Application, December 16, 1937, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of L. K. F. Realty Co., Inc., Sieko Realty Corporation and Eleanor Hedwig Arnold, owners (Nunley Parking Company, Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 170-15 to 170-21, 171-01 to 171-19, 172-01 to 172-25 and 173-05 to 173-13 Hillside avenue, north side, 56.51 ft. west of Kingston road (Block No. 923, Lot Nos. 1, 10, 14 and 17 and Block No. 896, Lot Nos. 42 and 48), Jamaica, Borough of Queens.

CAL. NO. 23-38-BZ—Application, January 15, 1938, under section 7h of the building zone resolution, of Margaret Scally, applicant and owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 136-43 to 136-45 37th avenue, north side, 400 ft. east of Main street (Block No. 4977, Lot Nos. 90 and 91), Flushing, Borough of Queens.

AL. NO. 44-38-BZ—Application, January 25, 1938, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Gertrude C. Vandewater, owner (Jamaica Parking and Realty Corporation, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-22 to 89-26 165th street, west side, 200.15 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 48), Jamaica, Borough of Queens.

AL. NO. 66-38-BZ—Application, February 3, 1938, under section 7h of the building zone resolution, of William Shary, applicant, on behalf of Board of Transportation, City of New York, owner (Abraham Goldenbaum, lessee), to pemit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles: premises 340-354 Sixth avenue, east side, from West 4th street to Washington place, 151 West 4th street and 88-90 Washington place (Block No 552, Lot No. 1), Borough of Manhattan.

CAL. NO. 362-38-BZ—Application, May 11, 1938 under sections 6a, 6b and 21 of the building zone resolution, of David Steckler, applicant, on behalf of Henry Felsenstein, owner, to permit in a residence use district the extension in area of a garage and gasoline service station; premises 2042-2044 Ocean avenue, west side, 470 ft. south of Avenue O (Block No. 6766, Lot No. 36 and part of Lot No. 38), Borough of Brooklyn.

CAL. NO. 552-38-BZ—Application, June 28, 1938, under section 21 of the building zone resolution, of W. J. Cherry, applicant, on behalf of Antur Holding Corporation, owner, to permit partly in an unrestricted use district and partly in a residence use district and also "B" area district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also the omission of the required rear yard; premises 777 Sheridan avenue, west side, 152.59 ft. north of East 156th street (Block No. 2458, Lot No. 124), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 9, 1938, 2 P. M.

Appeals from Administrative Orders

900-38-A-WF—33-41 Prince street and 134-03 35th avenue, northeast corner (Block No. 782, Lot No. 46), Flushing, Borough of Queens.

907-38-A—Transportation of liquid asphalt in semi-trailer truck, not of approved type, in New York City.

766-38-A—402-412 Bleecker street and 291 West 11th street, northwest corner (Block No. 623, Lot Nos. 8-10), Borough of Manhattan.

832-38-A—South side of Eliot avenue, 626 ft., 644 ft. and 667 ft. west of 84th street (Block No. 2941, Lot No. 1), Elmhurst, Borough of Queens.

748-38-A—506-516 Wortman avenue and 953 Essex street, southeast corner (Block No. 4407, Lot No. 1), Borough of Brooklyn.

952-38-A—8 West 26th street and 1131-1137 Broadway, southwest corner (St. James Building); (Block No. 827, Lot No. 49), Borough of Manhattan.

883-38-A—North side of 48th avenue, between 31st street and 31st place (Block No. 281, Lot No. 1), Long Island City, Borough of Queens.

916-38-A—696-702 Broadway, northeast corner of East 4th street (Block No. 545, Lot No. 1), Borough of Manhattan.

961-38-A—40-62 Tehama street, north side, 375 ft. east of Chester avenue (Block No. 5307, part of Lot No. 27), Borough of Brooklyn.

983-38-A—845 2nd avenue, west side, 25 ft. north of East 45th street (Block No. 1319, Lot No. 23), Borough of Manhattan.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

of the building zone resolution, *Wednesday afternoon, November* 9, 1938, at 2 o'clock, in Room 1013, Municipal Building on the following matter:

CAL. NO. 731-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Fred B. McDuffee, Director, Bureau of Architecture, Department of Public Works, applicant, on behalf of City of New York, owner, to permit in a residence use district the erection and maintenance of an extension to an existing garage for the storage of more than five (5) motor vehicles; premises 535-543 East 120th street, northwest corner of East River drive (Block 1817, part of Lot No. 13), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 15, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November* 15, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 708-38-BZ—Application, August 9, 1938, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Patrick Carroll, owner, to permit partly in a business use district and partly in an unrestricted use district the extension of a gasoline service station; premises 92-28 Horace Harding (Nassau) boulevard, southeast corner of Queens boulevard (Block No. 2075, Lot Nos. 5 and 6), Elmhurst, Borough of Queens.

CAL. NO. 676-38-BZ—Application, July 29, 1938, under section 21 of the building zone resolution, of M. Allen Schlendorf, applicant, on behalf of Kroder-Reubel Co., owner, to permit in a business use district the erection and maintenance of a saw and planing mill; premises 75-81 Herbert street, north side, 50 ft. east of North Henry street (Block No. 2828, Lot No. 1), Borough of Brooklyn.

CAL. NO. 692-38-BZ—Application, August 4, 1938, under sections 7h and 21 of the building zone resolution, of Leopold Friedman, applicant, on behalf of Hawthorne Amusement Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 31-73 Bay 19th street, east side, 254 ft. south of 86th street (Block No. 6370, part of Lot No. 23), Borough of Brooklyn.

CAL. NO. 542-38-BZ—Application, June 24, 1938, under section 21 of the building zone resolution, of Patrick Quilty, applicant, on behalf of Department of Water Supply, Gas & Electricity, City of New York, owner, to permit in a business use district the erection and maintenance
an extension to an existing pumpi
station; extension to be used as
garage for more than five (5) mot
vehicles; premises southwest corner
Fresh Meadow road and Underhill av
nue (Block No. 5580, Lot No. 14(
Flushing, Borough of Queens.

CAL. NO. 672-38-BZ—Application, July 27, 1938, under se
tion 21 of the building zone resoluti
of Clinton T. Roe, applicant, on beh
of Kate L. Wood and Martha Schenl
owners, to permit in a residence u
district, the erection and maintena
of two (2) buildings, each having
store on the first story and dwelli
above; plot is located in a propos
public park as shown on the zone ma
premises 15-62 to 15-66 149th stre
west side, 100 ft. south of 15th dr
(Block No. 505, Lot No. 24), Whi
stone, Borough of Queens.

CAL. NO. 480-25-BZ—Application of S. J. Kessler, applica
on behalf of The 188 West 230th Str
Corporation, owner, reopened May
1938, under sections 7c and 21 of
building zone resolution, to per
partly in an unrestricted use distr
and partly in a business use distr
the inclusion of a motor vehicle rep
shop in a garage (garage previou
granted by the board); premises so
side of West 230th street, 110.62
east of Exterior street (Block No. 32
Lot Nos. 104 and 106), Borough
The Bronx.

CAL. NO. 15-38-BZ—Application, January 10, 1938, un
section 7h of the building zone resc
tion of John J. Gilmartin, applicant,
behalf of Third Avenue Railroad S
tem, owner, to permit in a business
district, for a temporary period of
more than two (2) years, the park
and storage of more than five
motor vehicles; premises 2526-2
Amsterdam avenue, southwest cor
of West 186th street (Block No. 2
Lot No. 48), Borough of Manhattan

CAL. NO. 660-38-BZ—Application, July 22, 1938, under s
tions 7h and 21 of the building z
resolution, of Louis E. Ordwein, ap
cant, on behalf of The Bank for S
ings,' owner, to permit partly in a r
dence use district and partly in a re
use district, for a temporary period
not more than two (2) years, the pa
ing and storage of more than five
motor vehicles; premises located wi
200 ft. of a hospital; premises 409-
West 57th street, north side, 89 ft.
in. west of Ninth avenue (Block
1067, Lot Nos. 28 and 28½), Boro
of Manhattan.

CAL. NO. 538-37-BZ—Application, November 15, 1937, un
section 7h of the building zone res
tion, of Nicholas Yannaco, applic
on behalf of W. H. Flattau &
owners, to permit in a business
district, for a temporary period of

CALENDAR

more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 501 West 185th street, northwest corner of Amsterdam avenue (Block No. 2156, Lot No. 56), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 15, 1938, 2 P. M.

Appeals from Administrative Orders

6-38-A—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

7-38-A—529-533 Fifth avenue, northeast corner 14th street (Block No. 1035, Lot No. 1), Borough of Brooklyn.

5-38-A—55-57 Avenue D, southwest corner of East 5th street (Block No. 374, Lot No. 34), Borough of Manhattan.

7-38-A—163-34 to 163-40 Jamaica avenue, south side, 307.30 ft. east of New York boulevard (Block No. 1167, Lot No. 16), Jamaica, Borough of Queens.

4-38-A—229-231 Atlantic avenue, north side, 175 ft. 3½ in. east of Court street (Block No. 277, Lot Nos. 10 and 11), Borough of Brooklyn.

)-38-A—185 East 162nd street, north side, 110 ft. west of Sheridan avenue (Block No. 2461, Lot No. 1), Borough of The Bronx.

)-38-A—1768 Dean street, south side, 233 ft. 2 in. west of Rochester avenue (Block No. 1349, Lot Nos. 21-30), Borough of Brooklyn.

-38-A—14 Second avenue, east side, 47.10 ft. south of East 1st street (Block No. 442, Lot No. 6), Borough of Manhattan.

-38-A—50-15 Skillman avenue, north side, 50 ft. west of 51st street (Block No. 129, Lot No. 69), Woodside, Borough of Queens.

-38-A—75 Washington place, north side, 176 ft. east of Sixth avenue (Block No. 552, Lot No. 66), Borough of Manhattan.

-38-A—346-348 Broadway, southeast corner of Leonard street and 46-50 Lafayette street (Block No. 170, Lot No. 6), Borough of Manhattan.

38-A—51-03 Van Dam street, southeast corner of Borden avenue (Block No. 305, Lot No. 17), Long Island City, Borough of Queens.

38-A—158 9th street, south side, 295 ft. 9 in. east of 2nd avenue (Block No. 1008, Lot No. 22), Borough of Brooklyn.

38-A—219-14 Merrick road, south side, 100 ft. east of 219th street (Block No. 3598, Lot No. 28), Springfield, Borough of Queens.

38-A—6202-6224 9th avenue, west side, from 62nd street to 63rd street, 874-884 62nd street and 879-883 63rd street (Block No. 5728, Lot Nos. 37-42), Borough of Brooklyn.

38-A—72-76 Grand avenue, west side, 120 ft. north of Park avenue (Block No. 892, Lot No. 48), Borough of Brooklyn.

38-A—133 East 47th street, north side, 145 ft. east of Lexington avenue (Block No. 1302, Lot No. 25½), Borough of Manhattan.

963-38-A—1026 East 23rd street, west side, 190 ft. south of Avenue J (Block No. 7604, Lot No. 55), Borough of Brooklyn.

965-38-A—3058 Brighton 5th street, west side, 177 ft. north of Brighton Beach avenue (Block No. 7284, Lot No. 1325), Borough of Brooklyn.

968-38-A—204 Columbia Heights, west side, 188 ft. 1 in. north of Pierrepont street (Block No. 233, Lot No. 10), Borough of Brooklyn.

971-38-A—356 Broadway, east side, 86 ft. north of Leonard street (Block No. 171, Lot No. 4), Borough of Manhattan.

972-38-A—146 Chambers street, south side, 100 ft. west of West Broadway (Block No. 137, Lot No. 33), Borough of Manhattan.

973-38-A—523 Broadway, west side, 50 ft. south of Spring street (Block No. 484, Lot No. 11), Borough of Manhattan.

974-38-A—831 Broadway, west side, 50 ft. south of East 13th street (Block No. 564, Lot No. 17), Borough of Manhattan.

975-38-A—47-28 30th place, west side, 203 ft. 6⅞ in. north of 48th (Anable) avenue (Block No. 283, Lot Nos. 1 and 38), Long Island City, Borough of Queens.

976-38-A—248-252 West 65th street, south side, 150 ft. east of West End avenue (Block No. 1156, Lot No. 56), Borough of Manhattan.

977-38-A—237-241 (233 displayed) Westminster road, east side, 300 ft. south of Beverly road (Block No. 5143, Lot No. 48), Borough of Brooklyn.

979-38-A—2065 West 7th street, east side, 180 ft. north of Avenue U (Block No. 7099, Lot No. 54), Borough of Brooklyn.

980-38-A—885 East 7th street, east side, 135 ft. north of Avenue H (Block No. 6495, Lot No. 49), Borough of Brooklyn.

982-38-A—453 West 17th street, north side, 100 ft. east of 10th avenue (Block No. 715, Lot No. 5), Borough of Manhattan.

985-38-A—140 Riverside drive, east side, from West 86th street to West 87th street, 351 West 86th street and 348-352 West 87th street (Block No. 1248, Lot Nos. 1, 2, 6, 7, 8, 9, 54 to 59 inclusive), Borough of Manhattan.

987-38-A—628-636 West 47th street, south side, 25 ft. east of 12th avenue (Block No. 1094, Lot No. 49), Borough of Manhattan.

988-38-A—69-77 and 68-81 181st street, northeast corner of 73rd avenue and east side of 181st street, 42.80 ft. north of 73rd avenue (Block No. 7133, Lot No. 16), Flushing, Borough of Queens.

1000-38-A—1101 Oak Point avenue and 510 Barry street, northeast corner (Block No. 2606, Lot No. 172), Borough of The Bronx.

1002-38-A—73-03, 73-07 and 73-11 183rd street, southeast corner of 73rd avenue and east side of 183rd street, 41.87 ft. and 81.87 ft. south of 73rd avenue (Block No. 7171, Lot No. 1), Flushing, Borough of Queens.

1003-38-A—73-04, 73-08 and 73-12 183rd street, southwest corner of 73rd avenue and west side of 183rd street, 53.85 ft. and 93.85 ft. south of 73rd avenue (Block No. 7170, Lot No. 1), Flushing, Borough of Queens.

CALENDAR

1004-38-A—75-75 and 75-81 183rd street, northeast corner of Union turnpike and east side of 183rd street, 45.01 ft. north of Union turnpike (Block No. 7200, Lot No. 1), Flushing, Borough of Queens.

1005-38-A—75-76 and 75-82 183rd street, northwest corner of Union turnpike and west side of 183rd street, 50.92 ft. north of Union turnpike (Block No. 7199, Lot No. 1), Flushing, Borough of Queens.

Variations of Labor Law

910-38-S—1443-1451 39th street, north side, 310 ft. east of 14th avenue (Block No. 5347, Lot No. 58), Borough of Brooklyn.

946-38-S—331-335 38th street, north side, 360 ft. west of 4th avenue (Block No. 700, Lot Nos. 53 and 54), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November* 15, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 624-26-BZ—Application of Apa Realty Corporation, applicant and owner, reopened September 27, 1938 for consideration as to extension of permit—re Application, granted on condition, under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station (erected under a temporary variation granted by the board for a temporary period); premises southwest corner of Kissena boulevard (road) and Horace Harding (Nassau) boulevard (Block No. 2167, Lot No. 35), Flushing, Borough of Queens.

CAL. NO. 554-37-BZ—Application, November 23, 1937, under section 7h of the building zone resolution, of Smith and Weber, applicants and lessees, on behalf of Board of Transportation, City of New York, owner, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 896-908 Eighth avenue, 260-266 West 54th street, southeast corner and 255 West 53rd street (Block No. 1025, Lot No. 3), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 18, 1938, 10 A. M.

Appeals from Administrative Orders.

850-38-A—North side of Walling street, 100 ft. east of Northern boulevard (rear of lot); (southeast corner of Sybilla street and Viola place); (Block No. 3895, Lot No. 1), Forest Hills, Borough of Queens.

851-38-A—East side of Northern boulevard, 92 ft. north of Walling street (Block No. 3895, Lo No. 29), Forest Hills, Borough of Queens

852-38-A—North side of Walling street, 100 ft. east o Northern boulevard (front of lot) (northwest side of Walling street an Wanda place); (Block No. 3895, Lot No 1), Forest Hills, Borough of Queens.

853-38-A—Northwest corner of Walnut street and 71s (Continental) avenue (Block No. 280 Lot No. 1), Forest Hills, Borough o Queens.

854-38-A—90-20 70th drive (Wanda place), east side, 35 ft. 5 in. south of Metropolitan avenu (east side of Wanda place, 350 ft. sout of Metropolitan avenue); (Block No. 389 Lot No. 56), Forest Hills, Borough o Queens.

855-38-A—North side of Walling street, 150 ft. east o Northern boulevard (north side of Wal ing street, 180 ft. east of westerly l line); (Block No. 3895, Lot No. 34 an part of Lot No. 35), Forest Hills, Bo ough of Queens.

856-38-A—North side of Walling street, 200 ft. east o Northern boulevard (northwest corner o Walling street and Wanda place); (Bloc No. 3895, Lot No. 35), Forest Hills, Bo ough of Queens.

NOVEMBER 22, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Stan ards and Appeals of a public hearing under the provisio of the building zone resolution, *Tuesday morning, Nove ber* 22, 1938, at 10 o'clock, in Room 1013, Municipal Buil ing, on the following matters:

CAL. NO. 391-37-BZ—Application, August 4, 1937, under se tion 7h of the building zone resolutio of Aaron Roth, applicant, on behalf Kahnege Corporation, owner (Julia Bocchemuzzo, lessee), to permit in business use district, for a tempora period of not more than two (2 years, the parking and storage of mo than five (5) motor vehicles; premis 49-01 to 49-19 Skillman avenue, nor side, between 49th street and 50th stre (Block No. 132, Los Nos. 67, 71, 7 73 and 74), Long Island City, Borou of Queens.

CAL. NO. 274-38-BZ—Application, April 14, 1938, under se tion 7h of the building zone resolutio of J. G. L. Molloy, applicant, on b half of David Zipkin, owner, to perm in a business use district, for a ten porary period of not more than tw (2) years, the parking and storage more than five (5) motor vehicle premises 102 Sherman avenue, nor side, 100 ft. east of Dyckman stre and 169-171 Dyckman street (Block N 2224, Lot Nos. 45 to 48, inclusive a Lot No. 53), Borough of Manhatta

CAL. NO. 275-38-BZ—Application, April 14, 1938, under se tion 7h of the building zone resolutio of J. G. L. Molloy, applicant, on b half of David Zipkin, owner, to perm

in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 225-229 Sherman avenue and 531-537 West 207th street, southeast corner (Block No. 2223, Lot Nos. 1 to 4, inclusive), Borough of Manhattan.

CAL. NO. 436-38-BZ—Application, June 1, 1938, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Wilgate Holding Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 53-02 Kissena boulevard, southeast corner of 153rd street, northwest corner of Kissena boulevard and Peck avenue and northeast corner of 153rd street and Peck avenue (Block No. 5163, Lot No. 74), Flushing, Borough of Queens.

CAL. NO. 458-38-BZ—Application, June 3, 1938, under section 7h of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Son-Ray Realty and Holding Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1800-1808 East 177th street, southeast corner of Beach avenue (Block No. 3881, Lot Nos. 11 to 15, inclusive), Borough of The Bronx.

CAL. NO. 701-38-BZ—Application, August 8, 1938, under section 7h of the building zone resolution, of Naphtali A. Weidberg, applicant, on behalf of Frank Spano and Michael Spano, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 90-14 168th street, west side, 112.50 ft. south of 90th avenue (Block No. 867, Lot Nos. 77 and 79), Jamaica, Borough of Queens.

CAL. NO. 652-38-BZ—Application, July 21, 1938, under sections 7a and 7c of the building zone resolution, of Charles G. Coster, applicant, on behalf of De Luxe Laboratories, Inc., owner, to permit in a residence use district the alteration and change of occupancy of an existing building to an office building; premises 448 West 56th street, south side, 125 ft. east of Tenth avenue (Block No. 1065, Lot No. 59), Borough of Manhattan.

CAL. NO. 428-37-BZ—Application, September 1, 1937, under section 7h of the building zone resolution, of James Newell, applicant and lessee, on behalf of 870 Eighth Avenue Corporation, Board of Transportation, City of New York and Estate of John L. Sauervein (Sarah Sauervein, executrix and trustee), owners, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 870-884 Eighth avenue, northeast corner of West 52nd street (Block No. 1024, Lot Nos. 1, 2, 3, 63 and 161), Borough of Manhattan.

CAL. NO. 313-22-BZ—Application of Felix M. Rosenstock, applicant, on behalf of Peronne Realty Co., Inc., owner, reopened November 1, 1938, under sections 7b and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the alteration and extension in height of an existing business building (previously granted by the board); premises 333-335 East Fordham road and 2534-2544 Bainbridge avenue, northeast corner (Block No. 3286, Lot No. 1), Borough of The Bronx.

CAL. NO. 177-27-BZ—Application of Seelig and Finkelstein, applicants, on behalf of Bay Road Realty Corporation, owner, reopened November 1, 1938, for consideration as to extension of time to obtain permits and to complete work—time having expired by limitation—re Application, previously granted on condition, under section 7c of the building zone resolution, permitting in a residence use district extending from a business use district the erection and maintenance of a building for store occupancy on the first story; premises north side of Broadway (Cornaga avenue), 79.18 ft. east of Mott avenue (Block No. 47, Lot No. 78), Far Rockaway, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 29, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 29*, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 345-36-BZ—Application of Hahn and Coller, applicants, on behalf of John Seinfeld, owner, reopened November 1, 1938, for rehearing on new facts (previously denied by board)—Court having referred matter back to board for rehearing and reconsideration—re Application, under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use (stores); premises 2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block No. 3161, Lot No. 26), Borough of The Bronx.

CAL. NO. 245-37-BZ—Application of Nathan Mandel, applicant, on behalf of St. Cloud Construction Corporation, owner, reopened November 1, 1938 for rehearing on new facts (previously denied by board)—Court having referred matter back to

CALENDAR

board for rehearing and reconsideration—re Application, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (store); premises 2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx.

CAL. NO. 764-38-BZ—Application, September 1, 1938, under sections 7c and 21 of the building zone resolution, of L. M. Rothman, applicant, on behalf of Bonay Holding Co., Inc., owner, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a motion picture theatre; premises 787-795 Lydig avenue, northwest corner of Barnes avenue (Block No. 4321, Lot No. 1), Borough of The Bronx.

CAL. NO. 61-38-BZ—Application, February 2, 1938, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of A. May Condit, owner, to permit in a business use district the extension of a gasoline service station; premises 5232-5248 Broadway, northeast corner of West 226th street (Block No. 2215, part of Lot No. 130), Borough of Manhattan.

CAL. NO. 285-38-BZ—Application, April 19, 1938, under section 21 of the building zone resolution, of L. E. Driver, applicant and chief engineer, on behalf of New York Dock Company, owner, to permit partly in a business use district and partly in an unrestricted use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 210-218 Furman street, west side, 449 ft. 2 in. north of Montague street (Bldg. No. 46); (Block No. 199, part of Lot No. 3), Borough of Brooklyn.

CAL. NO. 573-37-BZ—Application, December 3, 1937, under sections 7h and 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Mutual Life Insurance Co. of New York, owner, to permit in a business use district, for a temporar period of not more than two (2) year the parking and storage of not mor than five (5) motor vehicles; premise 158-176 Columbus avenue, 101 We 67th street, 100 West 68th street an 1980-1998 Broadway (Block No. 113 Lot No. 24), Borough of Manhattar

CAL. NO. 737-38-BZ—Application, August 19, 1938, unde section 7h of the building zone resolu tion, of Herman Kron, applicant, o behalf of Mary L. Walker, owner, t permit in a business use district, for temporary period of not more than tw (2) years, the parking and storage o more than five (5) motor vehicles premises 1183 River avenue, west side 100 ft. south of East 167th stree (Block No. 2496, Lot No. 64), Borough of The Bronx.

CAL. NO. 834-38-BZ—Application, September 30, 1938, unde sections 7h and 21 of the building zon resolution, of Julius Eckmann, appli cant, on behalf of Charles T. Wills Inc., owner, to permit in a business us district, for a temporary period of no more than two (2) years, the parkin and storage of more than five (5 motor vehicles; premises is located o same street, between two (2) intersect ing streets, in which portion there exists an exit from and an entrance t a public school; premises 240-246 Wes 68th street, south side, 470 ft. west o Amsterdam avenue (Block No. 1159 Lot Nos. 52 to 55, inclusive), Borough of Manhattan.

CAL. NO. 784-38-BZ—Application, September 12, 1938, under section 21 of the building zone resolution, of William V. McDevit, applicant, on behalf of J. Clarence Davies, Inc., owner (Socony-Vacuum Oil Company, Inc., lessee), to permit in a business use district the erection and maintenance of an additional accessory building on an existing gasoline service station; premises 3273-3275 Westchester avenue and 2000-2006 Colonial avenue, northeast corner (Block No. 4249, Lot No. 1), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

NOTICE

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 1, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh

The minutes of the regular meeting of the board held on Tuesday morning, October 18, 1938, and the minutes of the regular meeting of the board held on Tuesday afternoon, October 18, 1938, were approved as printed in Bulletin No. 43, Volume 23.

BUILDING ZONE CASES

54-37-BZ.

APPLICANT—Smith and Webber (lessees), for Board of Transportation, City of New York, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit partly in a retail use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—896-908 Eighth avenue and 260-266 West 54th street, southeast corner and 255 West 53rd street (Block No. 1025, Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Sanford Smith, Anthony M. De Rose and J. A. Webber.

For Opposition: Benjamin Gollay, Irving J. Colby, and Andrew J. Arbuckle and A. Peroller.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 15, 1938, at 2 P. M., for consideration by board in executive session for decision on that date without further argument.

2-38-BZ.

APPLICANT—W. J. Cherry, for Antur Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a residence use district and also "B' area district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the omission of the required rear yard.

PREMISES AFFECTED—777 Sheridan avenue, west side, 152.59 ft. north of East 156th street (Block No. 2458, Lot No. 124), Borough of The Bronx.

APPEARANCES—

For Applicant: W. J. Cherry and E. Stanley Marks.

For Opposition: David Palmer.

ACTION OF BOARD—Laid over to November 9, 1938, at 10 A. M. Applicant and objector to verify certain restrictions.

-38-BZ.

APPLICANT—Joseph Lau, for Henry C. Schooff, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—41-43 Snyder avenue, north side, 150 ft. west of Bedford avenue (Block No. 5103, Lot No. 91), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles H. Fertsch and M. C. Schooff.

For Opposition: Jerome N. Wanshel.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Absent 0

THE RESOLUTION—

(480-38-BZ)

WHEREAS, Joseph Lau, for Henry C. Schooff, owner, filed June 10, 1938, an application under the building zone resolution. to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; Premises: 41-43 Snyder avenue, north side, 150 ft. west of Bedford avenue (Block No. 5103, Lot No. 91), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 1, 1938 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Snyder avenue is in a business use district; Church avenue is in a business use district; Bedford avenue is in a business use district; Flatbush avenue is in a business use district and Erasmus street is in an unrestricted and residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated May 11, 1938, re Application No. 6275-38, reads:

"Proposed Storage & Parking of more than 5 cars on Property described in a business district is contrary to Art. 2, Par. 4, Section 15, also Art. 5, Sec. 21 of Building Zone Resolution. Therefore application denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 198 ft. It is proposed to occupy the plot for a temporary period of not more than two (2) years for parking and storage of more than 5 motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a Committee of the Board, prior to hearing; and

WHEREAS, the Board deemed that it should not exercise its discretion to grant, inasmuch as there appear to be adequate facilities for storage of automobiles in the general area.

Resolved, that the decision of the Borough Superintendent, Application No. 6275-38, be and it hereby is *affirmed,* and that the application be and it hereby is *denied.*

509-38-BZ.

APPLICANT—John F. Meehan, for Tidewater Associated Oil Company, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the demolition of an existing building and the erection of a new building to be used as an office and lubritorium in connection with an existing gasoline service station.

PREMISES AFFECTED—202-01 Rocky Hill road, northeast corner of 202nd street (Block No. 5561, Lot Nos. 10, 13 and 62), Bayside, Borough of Queens.

APPEARANCES—

For Applicant: John F. Meehan and Frank J. Majer.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0
Absent 0

THE RESOLUTION—

(509-38-BZ)

WHEREAS, John F. Meehan, for Tidewater Associated Oil Company, owner, filed June 20, 1938, an application under the building zone resolution, to permit partly in a business use and partly in a residence use district, the demolition of an existing building and the erection of a new building to be used as an office and lubritorium in connection with an existing gasoline station; Premises: 202-01 Rocky Hill road, northeast corner of 202nd street (Block No. 5561, Lot Nos. 10, 13 and 62), Bayside, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 1, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Rocky Hill road is in a business use district; 47th avenue is in a residence and business use district; 202nd street is in a residence and business use district and 201st street is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated June 16, 1938 re Application No. 3678-1938, reads:

> "1. The erection of a gasoline selling station within a business district and extending into a residence district is contrary to Art. 2, Sections 3, and 4 of zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 62.2 ft. on Rocky Hill road, 81.4 ft. on 202nd street and 80 ft. along 47th avenue. An irregular shaped area at the northeast corner of the plot is located in a residence use district—the remainder of the plot is in a business use district. Upon the plot there is located a one story frame and stucco building, approximately 32 ft. by 28 ft. in area, and the necessary tanks and pumps for a gasoline service station. It is proposed to demolish the existing building and to erect a one story building 42 ft. 6 in. by 27 ft. in area, to be used as office and lubritorium. It is proposed also to extend the area of the existing station; and

WHEREAS, it appears that the plot under appeal has been under a single ownership and used continuously as a gasoline service station since 1923; and

WHEREAS, the Board deemed that applicant was entitled to relief under Section 21 on the grounds of unnecessary hardship and should be permitted to rearrange and reconstruct the premises so as to improve conditions.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted*, to permit the rearrangement and reconstruction of the premises, under Section 21, substantially as indicated on plans filed with this application, *on condition* that the entire plot shall be levelled substantially to the grade of surrounding streets; that the accessory building shall be constructed towards the easterly portion of the plot and shall be arranged for office, lubritorium and washing; that the accessory building shall not exceed one story in height and shall be constructed of fireproof materials, except that the roof beams, roof boarding, window frames and sash, door frames and doors may be of wood, provided the ceilings are fire-retarded throughout in accordance with the Rules of the Board of Standards and Appeals; that the boiler room shall be separated from the balance of the building by fireproof construction and enterable only from the exterior of building; that overhead doors to the lubritorium section may be constructed provided the greasing equipment is of the hydraulic lift type; that gasoline pumps erected shall be not nearer than 15 ft. to any street building line; that the entire premises where not covered by accessory building shall be paved with cement paving, colprovia or asphalt or other impervious material; that there shall be erected on the interior lot lines a masonry wall not less than 6 ft. in height continuously from Rocky Hill road to 47th avenue, except that this wall may be 4 ft. in height for a distance of 15 ft. back from either street building line; that there shall be constructed at the intersection of 47th avenue and 202nd street and at the intersection of 202nd street and Rocky Hill road a solid block of concrete not less than 1 ft. in height and not less than 5 ft. in length from the point of intersection along each street; that when the surrounding streets are paved and curbs are installed, the entrances to premises shall be restricted to two from Rocky Hill road not over 20 ft. in width each and two from 202nd street and two from 47th avenue of the same width; that no automobile repairing shall be conducted on the premises; that there shall be no parking or storage of cars other than those being serviced; that no portable gasoline tank shall be used on or from the premises; that lights for illumination shall be so arranged as to reflect away from adjoining residential occupancies; that signs shall be restricted to permanent signs attached to the facade of the accessory building and to illuminated globes of the pumps, precluding any roof sign and temporary signs but permitting the erection of two (2) post standards at the street intersections within the building line for supporting signs, which may be illuminated, advertising the brand of gasoline on sale, provided such signs do not extend beyond the building line for a distance of more than 4 ft.; that plans shall be submitted for approval by the Chairman in behalf of the Board before same are filed with the Borough Superintendent; and after approval of plans, all permits shall be obtained and all work shall be completed within one year thereafter.

Adjourned, 12:45 P. M.

EDWARD V. BARTON, Chief Clerk.

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendancy of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 1, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

313-22-BZ.

APPLICANT—Felix M. Rosenstock, for Peronne Realty Company, Inc., owner.

SUBJECT—Application for consideration—reopening and amendment—re (decision of the borough superintendent of buildings)—re application, previously granted on condition, under section 7b of the building zone resolution, permitting partly in a business use district and partly in a residence use district, the erection of a business building.

PREMISES AFFECTED—333-335 East Fordham road and 2534-2544 Bainbridge avenue, northeast corner (Block No. 3286, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Felix M. Rosenstock.

ACTION OF BOARD—Application reopened and set for hearing November 22, 1938, at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

037-22-BZ.

APPLICANT—H. L. Brandt, for John M. Lee, owner.

SUBJECT—Application for consideration—reopening and amendment (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the alteration and conversion of occupancy of part of an existing garage for more than five (5) motor vehicles previously granted by the board, so as to include a motor vehicle repair shop.

PREMISES AFFECTED—4085 Tenth avenue, 433-439 West 218th street, northeast corner and 5108 Broadway (Block No. 2214, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: H. L. Brandt.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

-23-BZ.

PLICANT—Edwin W. Kleinert, for S. C. La Vine, Incorporated, owner.

BJECT—Application for consideration—reopening (re decision of the acting borough superintendent of buildings) to amend resolution, adopted by the board October 3, 1924, denying the zoning variance applied for, for the erection of a garage, which adverse decision of the board was reversed by the Court, so as to permit the reconstruction of the Bedford avenue frontage to incorporate a new and additional use as a gasoline selling alcove station.

PREMISES AFFECTED — 1572-1590 Bedford avenue, northwest corner of President street (Block No. 1273, Lot No. 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: E. W. Kleinert.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

177-27-BZ.

APPLICANT—Seelig and Finkelstein, for Bay Road Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—time having expired by limitation—re application (decision of the superintendent of buildings) under section 7c of the building zone resolution, permitting in a residence use district extending from a business use district, the erection and maintenance of a building for store occupancy on the first story.

PREMISES AFFECTED—North side of Broadway (Cornaga avenue), 79.18 ft. east of Mott avenue (Block No. 47, Lot No. 78), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Harry Finkelstein.

ACTION OF BOARD—Application reopened and set for hearing November 22, 1938, at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

308-33-BZ.

APPLICANT—Hyman E. Kamen, for Alice Fadool, owner.

SUBJECT—Application for consideration—reopening and reconsideration under allegedly new facts—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the alteration and change of occupancy of part of the first story of an existing apartment house from dwelling to business use (previously denied).

PREMISES AFFECTED—195 Prospect Park west, northwest corner of 15th street (Block No. 1103, Lot No. 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Paul Friedman and George Fadool.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

345-36-BZ.

APPLICANT—Hahn and Coller, for John Seinfeld, owner.

SUBJECT—Application for consideration — reopening — rehearing on new facts (matter referred back to board by Court) re application (decision of the commissioner of buildings) under section 21 of the

building zone resolution, to permit in a residence use district, the conversion of occupancy of part of an existing multiple dwelling, to business use (stores); (previously denied by the board).

PREMISES AFFECTED—2095 Grand concourse, west side, 93.63 ft. north of East 180th street (Block No. 3161, Lot No. 26), Borough of The Bronx.

APPEARANCES—
For Applicant: H. J. Feldman, Julius Hahn and John Seinfeld.

ACTION OF BOARD—Application reopened and set for hearing November 29, 1938, 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

245-37-BZ.

APPLICANT—Nathan Mandel, for St. Cloud Construction Corporation, owner.

SUBJECT—Application for consideration — reopening — rehearing on new facts (matter referred back to board by Court) re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a business building (store); previously denied by the board.

PREMISES AFFECED—2101 Grand concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx.

APPEARANCES—
For Applicant: Nathan Mandel.

ACTION OF BOARD—Application reopened—and set for hearing November 29, 1938, 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

215-37-BZ.

APPLICANT—Scacchetti and Siegel, for Reliance Equities, Inc., owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling having stores in the first story.

PREMISES AFFECTED—2191-2199 Grand concourse and 156 East 182nd street, southwest corner (Block No. 3162, Lot No. 29), Borough of The Bronx.

APPEARANCES—
For Applicant: Max Siegel.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(215-37-BZ)

WHEREAS, Scacchetti and Siegel, for Reliance Equities, Inc., owner, filed May 7, 1937, an application under the building zone resolution, to permit in a residence use district, the erection and maintenance of a multiple dwelling having stores on the first story; Premises: 2191-2199 Grand concourse, 156 East 182nd street, southwest corner (Block No. 3162, Lot No. 29), Borough of the Bronx; and

WHEREAS, a public hearing was held on this applicatio by the Board of Standards and Appeals, at its regula meeting, November 1, 1938, after due notice by publicatio in the Bulletin of the Board of Standards and Appeals; an

WHEREAS, the use district maps accompanying the build ing zone resolution show that Grand concourse is in residence use district; East 182nd street is in a residenc use district and Creston avenue is in a residence use dis trict; and

WHEREAS, the decision of the Borough Superintender of Buildings, dated May 5th, 1937, re N. B. App. No 230-37. reads:

"1. Stores in proposed 6 story and cellar nonfire proof Class "A" multiple dwelling in residence distric is contrary to provisions of Article 2, Sec. 3 of th Building Zone Resolution. Not further considered."

and

WHEREAS, the premises consist of a plot of ground hav ing a frontage of 154.98 ft. on Grand concourse and 84.6 ft. on East 182nd street, on which it is proposed to erec a 6-story and cellar nonfireproof Class A multiple dwellin 150.93 ft. by 88 ft. in area on 1st story and 144.53 ft b 88 ft. in area above, with eleven stores on the first stor facing Grand concourse; and

WHEREAS, the site under appeal was the subject of a inspection by a Committee of the Board, which recom mended that the application should be granted, provide the business use is restricted to the first story and unde other proper conditions; and

WHEREAS, the Board deemed that in view of the decisio by the Court of Appeals in the matter of 2291 Concours Realty Corp., affecting premises at 2291 Grand concours the conditions in this application may be properly consi ered as similar and that the Board would be justified i granting relief under section 21 on the grounds of unnece sary hardship.

Resolved, that the *Board of Standards and Appeals* do hereby *make a variation* in the application of the use di trict regulations of the building zone resolution and tha the application be and it hereby is *granted* under Sectio 21 thereof, to permit the street floor along the Grand co course to be used for limited business purposes, *on cond tion* that there shall be constructed a multiple dwelling n less than six stories in height, as indicated on plans file with this application; that there shall be constructed facin the Concourse a court, to be landscaped as indicated o plans, this court to be not less than eighteen (18) ft. i width and for the full depth of the court as shown on th second story; that no portion of the rear yard opening t the Concourse shall be built upon; that the masonry oper ing for each store shall not exceed 10 ft. in height abov curb; that the design of the store front shall be such a to present a retail shop appearance; that advertising o the business use shall be limited to non-illuminated sign attached to the show windows and store doors, excludin any illuminated signs behind the show windows within vie of the Grand concourse; that the return of the sho windows on East 182nd street shall not exceed 15 ft. ar that there shall be no other openings westerly thereof alon East 182nd street opening into the store occupancy, excep windows, the sills of which shall be at least six ft. abov the sidewalk; that the business use in these stores sha not include meat markets, fish markets, delicatessens, o bakeries having bake ovens, funeral parlors or any othe uses deemed objectionable by the Borough Superintender that ornamental walls and fences shall be constructed alon the landscaped court yard area and southerly lot line; tha no store shall exceed a depth of 55 ft. and that ther shall be no openings from these stores to any other pa of the building and no storage space for stores shall b permitted in the cellar; that the walls separating the stor occupancy from the balance of the building shall be n less than 12 inches of masonry; that all permits require shall be obtained and all work involved completed withi one year from the date of this resolution.

04-37-BZ.

APPLICANT—Marjorie Macormack, for William Macormack, lessee, Estate of A. S. Robbins, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district, the maintenance of a parking space for the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED — 266-276 Clarkson avenue, south side, 139 ft. 7½ in. west of Nostrand avenue (Block No. 5066, Lot Nos. 41 and 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: Marjorie Macormack.

For Opposition: Jerome A. Wanshel.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(604-37-BZ)

WHEREAS, Marjorie Macormack, for William Macormack, lessee, Estate of A. S. Robbins, owner, filed December 20, 1937, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years the maintenance of a parking space for the parking and storage of more than five (5) motor vehicles; Premises: 266-276 Clarkson avenue, southside, 139 ft. 7½ in. west of Nostrand avenue (Block No. 5066, Lot Nos. 41 and 46), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 1, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Clarkson avenue is in a business and unrestricted use district; Lenox road is in a residence and business use district; Nostrand avenue is in a business use district; Rogers avenue is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated December 20, 1937, re App. No. 18713-37, reads:

"Proposed Parking and storage of more than 5 cars in a business district contrary to Bldg. Zone Resolution. Art. 2, Section 4, Par. 15. Therefore application is disapproved."

WHEREAS, the premises consist of a plot of ground having a frontage of 150 ft. and a depth of 200 ft., on which there are several structures, as shown on filed plans. It is proposed to occupy the vacant portion of the premises, for a temporary period of not more than two (2) years, for parking and storage of more than 5 motor vehicles;

WHEREAS, the site under appeal and surrounding area were inspected by a committee of the Board, and the committee found that there is no justification for permitting the lot to be used for parking purposes; that there is ample garage space in this area and that there is sufficient unrestricted area in the section where parking may be legally permitted.

Resolved, that the decision of the Borough Superintendent, acting on App. No. 18713-37, be and it hereby is *affirmed* and that the application be and it hereby is *denied*.

51-30-BZ.

APPLICANT—Theobald H. Engelhardt, for Cord Meyer Development Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the borough superintendent of buildings) under sections 7g and 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles and also the installation of a gasoline service station (previously granted by board).

PREMISES AFFECTED—112-01 to 112-09 Queens boulevard, 75-01 to 75-09 112th street (Seminole avenue) northeast corner and 112-16 to 112-40 75th avenue (Atom street); (Block No. 1363, Lot No. 79), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Theobald H. Engelhardt.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(51-30-BZ)

WHEREAS, this application affecting premises 112-01 to 112-09 Queens boulevard, 75-01 to 75-09 112th street (Seminole avenue) and 112-16 to 112-40 75th avenue (Atom street); (Block No. 1363, Lot No. 79), Forest Hills, Borough of Queens, was granted by the board April 8, 1930, on certain conditions, resolution amended April 6, 1937, May 11, 1937 and February 1, 1938, and owner requested a further amendment of the resolution.

Resolved, that the resolution adopted by the board on April 8, 1930 as amended February 1, 1938 and June 14, 1938, be and it hereby is *amended*, so that as amended the resolution will read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that the building shall not exceed in height four stories above grade and shall be constructed fireproof, substantially in accordance with the plans, as to design, plan and layout, filed in this appeal; that the exterior of the building on all sides shall be finished with light-colored face brick with dark-colored face brick trim, architectural terra cotta or natural stone trim; that there shall be no vehicular opening on the 75th avenue frontage; that any door openings on the 75th avenue front shall not exceed a width of 3 ft. 8 in.; that no gasoline pumps shall be installed within 10 ft. of any street building line; that there shall be incorporated on the building line at street frontage a concrete curb not less than 12 in. in width and not less than 5 in. in height with rounded top for a distance of not less than 5 ft. from the southerly interior line and for a length of not less than 8 ft. opposite each of the pump islands, permitting the three entrances to the premises not more than 25 ft. in width from Queens boulevard and one entrance not more than 30 ft. in width from Seminole avenue, with curb cuts opposite each such opening not exceeding 35 ft. in width each; that advertising display shall be restricted to the glass globes of the gasoline pumps and to a flat wall sign attached to that portion of the building used as a garage and to one electric sign on the roof over the garage entrance and signs on the street front of the portion of the building used for restaurant purposes as permitted under Cal. No. 31-38-A-WF; and also permitting one post standard erected within the building line toward the easterly side, near the easterly interior lot line, for supporting a sign that may be illuminated, advertising

solely the brand of gasoline for sale; that in the event the owner desires to add additional stories to the existing one story garage erected pursuant to resolution adopted by the board, that such additional stories may be added, not to exceed a total of 4, as permitted in the resolution adopted on April 8, 1930 on condition that all the requirements of this resolution shall be complied with and that no sign shall be erected upon the roof of the building as increased in height without the approval of this board and that all permits for additional construction work shall be obtained and all work completed within one year from the date of this action.

Resolved further, that in the event it is desired to extend the area of the first floor, now occupied by a restaurant, for additional kitchen area, such extension may be made by reducing the space now occupied as a part of the garage, provided the space is not later restored to garage use; that a permanently affixed illuminated sign may be attached below the coping course near the top of the second story facing Queens boulevard, reading 'Seminole Garage', provided such sign does not exceed thirty (30) *square feet in area."*

191-33-BZ.

APPLICANT—Samuel Rosenblum, for Queensboro Savings Bank, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—West side of Sutphin boulevard, Lakewood avenue to Shore avenue (Block No. 1144, Lot No. 12), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(191-33-BZ)

WHEREAS, this application affecting premises, west side of Sutphin boulevard, Lakewood to Shore avenues (Block No. 1144, Lot No. 12), Jamaica, Borough of Queens, was granted by the board September 19, 1933, on certain conditions, resolution amended January 26, 1934, October 23, 1934, November 27, 1934, and July 19, 1938, and applicant requests a further amendment as to the term of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of September 19, 1933, as amended January 26, 1934, October 23, 1934, November 27, 1934, and July 19, 1935, only so far as it refers to the term of the permit, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is granted for a temporary period of ten years from the date of this action under section 21 *on condition that the layout of the gasoline station shall be substantially as shown on plans filed with this appeal; that walls at least* 8 *ft. high shall be constructed in line with the rear wall of the accessory building to the street lines, but that at the street lines it may be racked back starting with a height of* 4 *ft., at the rate of* 1 *ft. in every* 4 *ft.; that the balance of the plot not occupied by accessory buildings shall be either cement-paved or covered with bluestone or similar surfacing; that such pumps as are erected shall be not nearer than* 10 *ft. from any building line; that the accessory building and rear lot line wall shall be constructed of face brick and that there shall be no excavation under any portion of the accessory building except for grease rack; that any windows in the rear wall of accessory building shall be fireproof, self-closing; that access to gasoline selling area shall not exceed two openings from Sutphin boulevard, two from Lakewood avenue and two from Shore avenue, these openings not to exceed* 25 *ft. in width each, with curb cuts opposite not to exceed* 30 *ft. in width each; that no part of any opening shall be nearer to the intersection of any two of the streets than* 8 *ft.; that except where these openings occur there shall be erected on the entire street building line a concrete curb constructed integral with the cement paving on the surface not less than* 12 *in. in width and not less than* 5 *in. in height with a rounded top; that there shall be no signs erected on the property other than a neat sign on the facade of the accessory building and the illuminated globes of the pumps,* and not over one (1) illuminated sign advertising only the brand of gasoline for sale, attached to an upright erected within the building line near the intersection formed by Sutphin boulevard and Shore avenue, permitting this sign to extend beyond the building line for a distance of not over eight (8) ft., excluding all other signs and signs of a temporary nature; *that no portable gasoline pumps shall be operated on or from the premises; that any illumination on the property shall be by means of lamps installed on uprights with metal reflectors, arranged so that lights will shine downwardly to avoid a nuisance to adjoining owners; and that all permits shall be obtained within six months and all work involved shall be completed within one year from the date of this resolution."*

261-36-BZ.

APPLICANT—Fred S. Loewenthal, for Regina Loewenthal, owner.

SUBJECT—Application for consideration — reopening — extension of permit re application (decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, permitting in a business use district, the use of a plot of ground as a parking space for more than five (5) motor vehicles.

PREMISES AFFECTED—2891-2895 Bailey avenue, west side, 57 ft. south of West 230th street and 60-64 West 230th street (Block No. 3264, Lot Nos. 82 and 88), Borough of The Bronx.

APPEARANCES—

For Applicant: Fred S. Loewenthal.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(261-36-BZ)

WHEREAS, Fred S. Lowenthal, for Regina Lowenthal, owner, filed August 24, 1936, an application under the building zone resolution to permit in a business use district the use of a plot of ground as a parking space for more than five (5) motor vehicles; Premises: 2891-2895 Bailey avenue, west side, 57 ft. south of West 230th street and 60-64 West 230th street (Block No. 3264, Lot Nos. 82 and 88), Borough of The Bronx; and

WHEREAS, this application was granted by the Board January 5, 1937, on certain conditions and applicant re

quested an amendment of the resolution as to the term of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on January 5, 1937, only so far as it has reference to term of permit, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7(h) of the building zone resolution *for a period of two years from the date of this action*, to permit the premises under appeal to be used for the parking and storage of motor vehicles *on condition* that only such motor vehicles shall be stored or parked as are capable of operation; that the entrance shall be exclusively from Bailey avenue; that such entrance on Bailey avenue shall not exceed a width of 18 ft.; that there shall be a fence erected along Bailey avenue and along the interior lot lines of the property, except that the fence in the rear shall be erected at a distance of 25 ft. eastwardly from the line of the New York Central right-of-way; that the premises shall be substantially leveled generally to the grade of Bailey avenue and shall be covered with steam cinders; that the automobiles shall be so parked that aisles shall be left at all times for access and egress; that during the term of this variance, the premises shall be used for no other purpose and no building shall be erected thereon and no other use maintained except that a small building may be erected near Bailey avenue as an office for the attendant, provided such building is not over 10 ft. square and not over one-story in height; that signs shall be limited to a sign at Bailey avenue advertising the use of the property; that the space between the rear fence and the railroad right-of-way shall be kept clear of rubbish at all times and the angle of repose maintained so as to prevent as far as practical the washing of earth on the railroad right-of-way; that such lighting as is maintained shall be located so as to not be objectionable to the owners across Bailey avenue; that all permits shall be obtained and all work completed within one year from the date of this action."

30-36-BZ.

APPLICANT—Samuel Rosenblum, for Shelton Holding Corporation, owner.

SUBJECT—Application for consideration — reopening — extension of permit, re application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district, the parking of more than five (5) motor vehicles, for a temporary period of not more than two (2) years, upon a plot unbuilt upon.

PREMISES AFFECTED—141-147 East 48th street, north side, 110 ft. east of Lexington avenue (Block No. 1303, Lot Nos. 24, 25, 26 and 27), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(330-36-BZ)

WHEREAS, Samuel Rosenblum, for Shelton Holding Corporation, owner, filed November 6, 1936, an application under the building zone resolution to permit in a business district, the parking of more than five (5) motor vehicles on a plot unbuilt upon for a period of not more than two (2) years; Premises: 141-147 East 48th street, north side, 110 ft. east of Lexington avenue (Block No. 1303, Lot Nos. 24, 25, 26 and 27), Borough of Manhattan; and

WHEREAS, this application was granted by the Board January 12, 1937, on certain conditions and applicant requested an amendment of the resolution as to the term of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on January 12, 1937, only so far as it has reference to term of permit, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-H of the building zone resolution *for a period of two years from the date of this action*, to permit the premises under appeal to be used for the transient parking of automobiles, *on condition* that the plot shall be leveled substantially to the grade of East 48th street and shall be covered with rolled steam cinders, properly bound to prevent dusting; that the entrance to the property shall consist of one entrance only from East 48th street, which may be twenty (20) ft. in width; with curb cut opposite of similar width; that on the street building and interior lot lines there shall be erected a substantial woven wire fence except where the entrance occurs; that pleasure vehicles only shall be parked as are capable of operation; that during the term of this variance this plot shall not be used for any other use and no buildings shall be built thereon, except a small building not more than 10 ft. square and one story high, to be used as an office and shelter for the attendant; that proper aisles shall be maintained at all times for ease of exit and ingress; that during the time the plot is open for business there shall be an attendant on the plot; that any lighting shall be so arranged as to deflect downwardly so as not to cause objection to the adjoining owners; that no advertising shall be displayed on any part of the plot except there may be erected a flat sign, not extending beyond the building line near East 48th street portion of the property, advertising the use; that all permits shall be obtained within two months from the date of this action."

1-37-BZ.

APPLICANT—Herman Kron, for Pondrand Amusement Co., Inc., owner.

SUBJECT—Application for consideration — reopening — for extension of time to obtain permit re application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district, for temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—67-02 62nd street, west side, 125.11 ft. north of 68th avenue (Block No. 3620, Lot No. 7), Ridgewood, Borough of Queens.

APPEARANCES—

For Applicant: Herman Kron and David Klinger.

ACTION OF BOARD—Application reopened—time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1-37-BZ)

WHEREAS, Oscar Goldschlag for Pondrand Amusement Co., Inc., owner, filed January 4, 1937 an application under the building zone resolution to permit in a business use district, for a temporary period of not more than two (2)

years, the parking and storage of more than five (5) motor vehicles; Premises: 67-02 62nd street, west side, 125.11 ft. north of 68th avenue (Block No. 3620, Lot No. 7), Ridgewood, Borough of Queens; and

WHEREAS, this application was granted by the board March 4, 1938, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on March 4, 1938, only so far as it has reference to obtaining permits and completing work, so that as amended this portion of the resolution shall read:

". . . in view of the statement of the applicant and tenant that all work required by the resolution has been completed and that the Borough Superintendent will not issue Certificate of Occupancy for the reason that the time set by the Board, within which the work shall be completed, has overrun, *all permits shall be obtained and all work shall be completed within one month from the date of this amended resolution.*"

APPEALS FROM ADMINISTRATIVE ORDERS

766-38-A.

APPLICANT—Henry A Stetler, lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—402-412 Bleecker street and 291 West 11th street, northwest corner (Block No. 623, Lot Nos. 8 and 10), Borough of Manhattan.

APPEARANCES—

For Applicant: H. A. Stetler.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Laid over to November 9, 1938, at 2 P. M., for further consideration by the board.

807-38-A.

APPLICANT—Maurice F. Miller, for John Mullins & Sons, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—529-533 Fifth avenue, northeast corner of 14th street (Block No. 1035, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to November 15, 1938, at 2 P. M., on written request of applicant.

832-38-A.

APPLICANT—Leonard C. L. Smith, for Green Park Homes, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECED—South side of Eliot avenue, 626 ft., 644 ft. and 677 ft., west of 84th street (Block No. 2941, Lot No. 1), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Administration: C. M. McWilliams, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 9, 1938, at 2 P. M., on telephonic request of applicant.

721-38-A.

APPLICANT—Sol A. Herzog, for Bond Photo Service, lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—46 West 21st street, south side, 275 ft. east of Sixth avenue (Block No. 822, Lot No. 66), Borough of Manhattan.

APPEARANCES—

For Applicant: Leo A. Herzog and Harry Cohen.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(721-38-A)

WHEREAS, Sol A. Herzog, for Bond Photo Service, lessee, filed August 12, 1938, an appeal from an order of the fire commissioner affecting premises 46 West 21st street, south side, 275 ft. east of Sixth avenue (Block No. 822, Lot No. 66), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner No. 13517-LC, dated July 12, 1938, reads:

"1. Building is not of fireproof construction as per C 19-117.04

2. Building is not equipped with an approved system of automatic sprinklers, as per C 19-117.05

3. Building is not equipped with fireproof rooms for the handling or storage of inflammable motion picture films. C 19-118.01."

and

WHEREAS, the building is 5 stories (58 ft.) in height, 25 ft. by 89 ft. in area on the first story and 25 ft. by 65 ft. in area at typical floor level, of non-fireproof construction, erected prior to 1911, located in an unrestricted use district and occupied as follows: Cellar, locksmith, storage; 1st floor, store, 6 persons; 2nd floor, vacant; 3rd floor, photo finishing laboratory, 8 persons; 4th floor, vacant; 5th floor, artists studio, 2 persons; for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that the concern handles but a small number of the film in question and that except when processing, this film is kept in metal containers; that the ceilings throughout the applicant's premises are metal, and that the drying room has galvanized sheet iron walls; that the partitions of the washing and developing and printing rooms are covered with plaster board.

Resolved, that the Order of the Fire Commissioner No. 13517-LC, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the total amount of motion picture film in process on any one day shall not exceed 15 ft.; and that the equipment and arrangement of the premises shall be maintained to the satisfaction of the Fire Commissioner.

768-38-A.

APPLICANT—The Salvation Army, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—526-540 West 46th street, south side, 275 ft. east of 11th avenue (Block No. 1074, Lot No. 49), Borough of Manhattan.

APPEARANCES—

For Applicant: B. A. Wilkinson and H. Southwool.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(768-38-A)

WHEREAS, the Salvation Army, owner, filed on September 1, 1938, an appeal from an order of the Fire Commissioner affecting premises 526-540 West 46th street, south side, 275 ft. east of 11th avenue (Block No. 1074, Lot No. 49), Borough of Manhattan; and

WHEREAS, Order No. 1938-LF, issued by the Fire Commissioner August 11, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply arranged and equipped as per Article 16, Ch. 26, Administrative Code."

and

WHEREAS, the building is 5 stories (65 ft.) in height, 125 ft. by 95 ft. in area, of fireproof construction, equipped with a standpipe system; located in an unrestricted use district; erected about 1915 and occupied as follows: Cellar, boilerroom and storage of baled paper, 5 persons; 1st floor, nonstorage garage and shop, 6 persons; 2nd floor, office and showroom, 13 persons; 3rd floor, showroom and storage of baled rags, 16 persons; 4th floor, storage of baled rags and shops, 14 persons; 5th floor, carpenter shop, 9 persons. For which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that compliance with the order will place a heavy burden on the applicant; that since a standpipe system has been installed, the applicant feels that it should be relieved of compliance with the order.

Resolved, that the Order of the Fire Commissioner, No. 1938-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the cellar shall be protected with a system of automatic sprinklers, supplied by the existing 3-inch domestic street source; that in all other respects the requirements of Article 16 of the Administrative Code shall be complied with.

841-38-A.

APPLICANT—Manhattan Batik Studio, lessee, for Estate of Ruth Watrous, owner, Harry W. Watrous and Frank W. Hubby, trustees.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—50 Bond street, north side, 131.9 ft. west of Bowery (Block No. 530, Lot No. 43), Borough of Manhattan.

APPEARANCES—

For Applicant: R. Bonn.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(841-38-A)

WHEREAS, the Manhattan Batik Studio, lessee, filed on October 1, 1938, an appeal from an order of the fire commissioner, affecting premises 50 Bond street, north side, 131.9 ft. west of Bowery (Block No. 530, Lot No. 43), Borough of Manhattan; and

WHEREAS, Order No. 16304-LC, issued by the fire commissioner July 18, 1938, reads:

"1. Discontinue the use of an unapproved oil burner on these premises."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated September 9, 1938; and

WHEREAS, the building is seven (7) stories (85 ft.) in height, 31.6 ft. by 125 ft. in area, of nonfireproof construction, equipped with a sprinkler system in the basement and on the first floor; located in an unrestricted use district; erected about 1893 and occupied as follows: Cellar, store; 1st floor, same; 2nd floor, storage of woolens; 3rd and 4th floors, Batik studio; 5th floor, mfg. artificial flowers; 6th floor, mfg. dresses; 7th floor, vacant; and

WHEREAS, the applicant who uses Primus stoves for drying purposes, contends that it has occupied the premises since June 1936; that these stoves have been used for cooking colors which are dissolved in water and to dry the materials during the rainy weather; that the business cannot be conducted without the use of these stoves or burners; efforts have been made to acquire a type of burner which can be used for the purpose, but no such burner has been found; and

WHEREAS, these premises were inspected by a Committee of the Board, which Committee recommends that this appeal should not be granted, because of the fire hazard.

Resolved, that the order of the fire commissioner No. 16304-LC be and it hereby is *affirmed*, and that the appeal be and it hereby is *denied*.

868-38-A.

APPLICANT—Ervin Palmer, for Bernard Smith, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1585 Pitkin avenue, north side, 53 ft. west of Amboy street (Block No. 3495, Lot No. 36), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: S. Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(868-38-A)

WHEREAS, Ervin Palmer, for Bernard Smith, owner, filed October 7, 1938, an appeal from a decision of the Borough superintendent of buildings affecting premises 1585 Pitkin avenue, north side, 53 ft. west of Amboy street (Block No. 3495, Lot No. 36), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on Application No. 11600-38, dated September 7, 1938, reads:

"Business occupancy on 2nd floor in frame building contrary to Sect. 4.2.1 B. Code and Sect. C-26-254.0. Floors to be good for 75 lbs. sq. ft. Labor Law."

and

WHEREAS, the building is 3 stories (32 ft.) in height, 20 ft. by 87 ft. at first story and 20 ft. by 56 ft. in area, typical floor, of frame construction, located in a business use district and erected approximately 40 years ago. Occupied: Cellar, boiler room, storage; 1st floor, store, 10 persons; 2nd floor, beauty parlor and apartment, 6 persons; 3rd floor, apartment, one family; and

WHEREAS, the applicant contends the corresponding floors of the adjoining buildings are of the same type of construction and are occupied for business. Tenant proposes to occupy the rear portion of the 2nd floor for residence purposes. The building has a brick front wall and rear wall is covered with asbestos shingles; floor can safely support the necessary live load which will not be any greater than in ordinary apartment use as no heavy equipment will be used; and

WHEREAS, these premises were the subject of an inspection by a committee of the board, and the committee recommends that the appeal be granted because the business occupancy now on the 2nd floor, has apparently existed for some time; further, that the front of building was reconstructed in 1932; and covered with brick.

Resolved, that the decision of the Borough Superintendent, acting on App. No. 11600-38, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, so as to permit the second floor to be occupied for business *on condition* that the live floor load shall be not less than 50 lbs. per superficial foot for the proposed occupancy as a beauty parlor; and that the requirements of the Building Code shall be complied with in all other respects.

MINUTES

899-38-A.

APPLICANT—Torkel Larsen, for Carl and Clara Goranson, owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—35 Midland road, east side (Block No. 3127, Lot No. 11), Great Kills, Borough of Richmond.

APPEARANCES—

for Applicant: Torkel Larsen.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(899-38-A)

WHEREAS, Torkel Larsen, for Carl and Clara Goranson, owners, filed October 18, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises 35 Midland road, east side (Block No. 3127, Lot No. 11), Great Kills, Borough of Richmond; and

WHEREAS, the decision of the Borough Superintendent on N. B. Application 76-38, dated October 5, 1938, reads:

"Sec. 10.12.8 Building Code requires a ladder and 2 ft. by 3 ft. scuttle to roof."

and

WHEREAS, the building is 2 stories, and basement (28 ft.) in height, 24 ft. by 38 ft. in area, on a plot 100 ft. by 150 ft. in area, of non fireproof construction, erected in 1938 and located in a residence use district; Occupied as a one family dwelling, with garage in cellar; and

WHEREAS, the applicant contends that the building is located 50 ft. from the nearest building and that the requirement for scuttle in the Building Code is for the purpose of getting to the roof in the event of fire; that there is no way off the roof; that as a substitute for the required scuttle, an exit has been provided by placing a door instead of a window on the 2nd floor so as to afford egress to the roof of the first story extension which is 12 ft. above grade; that an iron ladder will be provided from the extension roof to the ground; and

WHEREAS, the premises under appeal is to be occupied as a private one family residence.

Resolved, that the decision of the borough superintendent, acting on N. B. Application 76-38, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that on the roof of the first story extension at the rear, access to which may be obtained through a door at the 2nd story, there shall be maintained at all times an iron ladder of sufficient length to reach from extension roof to the ground.

918-38-A.

APPLICANT—Eugene J. Lang, for The Felician Sisters, O.S.F., owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—523 West 142nd street, north side, 204 ft. west of Hamilton place (Block No. 2074, Lot No. 16), Borough of Manhattan.

APPEARANCES—

For Applicant: M. J. McCoy and Robt. Roger.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(918-38-A)

WHEREAS, Eugene J. Lang, for The Felician Sisters, O. S. F., owners, filed October 24, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises 523 West 142nd street, northside, 204 ft. west of Hamilton place (Block No. 2074, Lot No. 16), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent of buildings, on Alteration Application 1961-38, dated October 13, 1938, reads:

"13. Additional story added to present two story rear building is unlawful and in violation of Sec. 4.2.1 of the Building Code, unless building is made fireproof throughout. Note increase in height of non-fireproof institutional building (public building) to height permissible only for Class I or Class II buildings.

"14. Stairs in both wings of building should be fireproof and enclosed in fireproof partitions complying with 6.4.1.8.1., Building Code."

and

WHEREAS, the building is 3½ stories (39 ft. 3 in.) in height, 36 ft. 8 in. by 90 ft. in area, of non-fireproof construction, located in a residence use, "B" area district, erected prior to 1900 and occupied as follows: Cellar, boiler room, storage; 1st floor, living and dining room and kitchen; 2nd floor, chapel and dormitory; 3rd floor, 5 bedrooms, 14 persons; 3rd floor, rear—vacant, attic—dormitory, 10 persons; and

WHEREAS, the applicant contends that as to Objection 13, the proposed alteration is a minor one and it creates an increase of less than 15% in the floor area and less than 10% in the cube of the building; that as to Objection 14, the proposed stairs for the rear wing, meets the requirements for required stairs and will be in accordance with section 6.4.1.8.1; that the existing stairs of the main section will become a secondary stairs, since it is not required, when the building as altered, does not exceed 2,500 sq. ft. and is less than 75 ft. in height and has an occupancy of less than one person for each 50 sq. ft. of floor area above the first floor; and

WHEREAS, the board is advised that the borough superintendent of buildings has classified this building and use, as institutional and not as a Class B Multiple Dwelling.

Resolved, that the decision of the borough superintendent, acting on Application 1961-38, objection Nos. 13 and 14, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the building shall not be further extended in height or area; that the new stairway to the rear shall be enclosed throughout with fireproof partitions in accordance with the requirements of the Building Code; that the existing staircase in the front portion of building shall be protected with a sprinkler system connected to domestic water supply in accordance with the Sprinkler Rules for a Class B Multiple Dwelling.

926-38-A.

APPLICANT—Fred B. McDuffee, Assistant Engineer, Department of Public Works, for City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—East side of Tenth avenue, between West 215th and West 216th streets and 427 West 215th street (Block No. 2212, part of Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Fred B. McDuffee.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief

Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(926-38-A)

WHEREAS, Fred B. McDuffee, Assistant Engineer, Department of Public Works, for City of New York, owner, filed October 25, 1938, an appeal from a decision of the Borough Superintendent of Buildings, affecting premises, East side of Tenth avenue, between 215th and 216th streets and 427 West 215th street (Block No. 2212, part of Lot No. 1), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent on F. P. Application No. 548-38, dated October 21, 1938, reads:

"No. 3. Proposed installation of six 2,000 gallon gasoline storage tanks contrary to C19-69.0 subd. a, administrative Code."

and

WHEREAS, the building will be one story and mezzanine (37 ft.) in height, 198.83 ft. by 200 ft. in area on a plot 199.93 ft. by 500.18 ft in area, of fireproof construction, equipped with a standpipe system and located in an unrestricted use district; Occupied as follows: Cellar, garage, office, locker room, showers, toilets and storage, 64 persons; 1st floor, garage, storage and machinery room, and office, 5 persons; mezzanine, offices, lockers, showers and toilets, 128 persons; and

WHEREAS, the applicant contends this garage is to house approximately 190 to 200 trucks and snow removal equipment belonging to the Department of Sanitation, City of New York; that a large quantity of gasoline will be required for the operation of these trucks and snow removal equipment, which would require a large number of small tanks of 550 gallon capacity and that such gasoline tanks would require an excessive amount of piping, which it is believed is considerably more dangerous than the installation of larger tanks and less piping that it is therefore respectfully requested that the department be allowed to install six tanks each of 2,000 gallon capacity; that the tanks are to be located as shown on the plans submitted with the appeal.

Resolved, that the decision of the Borough Superintendent, acting on Application No. 548-38, objection No. 3, be and it hereby is *modified*, and the appeal be and it hereby is *granted* to permit the construction of six (6) 2,000-gallon gasoline storage tanks, as indicated on plans filed with this appeal, *on condition* that the construction of tanks shall be in conformity with the requirements of the Oil Burner Rules of the Board of Standards and Appeals for 2,000-gallon tanks; that in all other respects the installation shall comply with all laws, rules and regulations applicable thereto, and *granted only so long* as the storage system is used in connection with the occupancy of the Department of Sanitation, City of New York.

5-38-A.

APPLICANT—Theodore R. Feinberg, for Emanuel Synagogue, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1302 Elder avenue and 1521 East 172nd street, northeast corner (Block No. 3863, Lot No. 8), Borough of The Bronx.

APPEARANCES—

For Applicant: Theodore R. Feinberg.

For Administration: M. C. E. Theide, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(945-38-A)

WHEREAS, Theodore R. Feinberg, for Emanuel Synagogue, owner, filed on October 28, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting Premises 1302 Elder avenue and 1521 East 172nd street, northeast corner (Block No. 3863, Lot No. 8), Borough of The Bronx; and

WHEREAS, the decision of the Borough Superintendent on Alt. App. No. 595-38, dated October 11, 1938, reads:

"No. 1. Since the building is a public building, as per Section 3.1.1 of the Building Code, it should therefore be of Class 2 Construction, as per Section 4.2.1 of the Building Code. (A.C.-C26-254-O). Building is over thirty feet high and has more than two occupied floors.

No. 4. Main stair should go to roof. Section 6.4.1.11 of the Building Code."

and

WHEREAS, the building is 3 stories (35 ft.) in height, 28 ft. by 100 ft. in area; of non-fireproof construction; located in a residence use district; erected in 1923; occupied as a dwelling; to be occupied as follows: Basement, classrooms and playrooms, 60 persons; 1st floor, auditorium (synagogue), 100 persons; 2nd floor, office and library, 40 persons, for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that the questions involved in this appeal is whether the building should be made to comply with the requirements of Class 2 Construction by reason of the change in occupancy from residence to public use; that the building will be occupied as an extension to an existing synagogue; that ample exit facilities will be provided, including a horizontal roof exit, 3 ft. 8 in. wide, to the existing stairs in the synagogue building and a fire-escape from the 1st and 2nd floors; that access to the roof will be provided by stationary iron ladder and scuttle; that Section 4.2.1 does not require a non-fireproof building to be reconstructed to Class 2 for the proposed occupancy; that the objection of the borough superintendent is based upon a proposed amendment to the Building Code; and

WHEREAS, it was stated by the representative of the borough superintendent of buildings, that the building is 35 ft. in height and that the building is three stories and not two stories and basement in height, and the preamble has been corrected accordingly.

Resolved, that the decision of the borough superintendent on Alt. App. No. 595-38 be and it hereby is *modified* and that the appeal be and it hereby is *granted* as to objection Nos. 1 and 4, *on condition* that the building shall not be further increased in height and area; that the ceilings of the 1st and 2nd stories shall be fire-retarded throughout; that the floor load of the second story to be occupied as an assembly hall shall be not less than 100 lbs. per superficial foot and that the upper or third floor shall have a floor loading of not less than 60 lbs. per superficial square foot; that this third floor shall at no time be used for classrooms or assembly, but used only as indicated on plans filed with this appeal as general offices and committee rooms; that the stairs shall be continued to the uppermost roof and exit from such roof shall be provided by means of a drop ladder to the second story roof extension and thence by means of a door to the existing stairhall of the adjoining Synagogue building; that in all other respects the building shall comply with all rules, laws and regulations applicable to the construction and occupancy.

948-38-A.

APPLICANT—Palatial Building Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—120-08, 120-12 and 120-16 135th avenue, south side, 40 ft., 80 ft., and 120 ft., east of 120th street (Block No. 2637, Lot Nos. 35 to 39 incl.), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Benjamin Lorber.
For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(948-38-A)

WHEREAS, Benjamin Lorber, for Palatial Building Corporation, owner, filed on October 28, 1938, an appeal from decisions of the Borough Superintendent, Department of Housing and Buildings, affecting premises 120-08, 120-12 and 120-16 135th avenue, south side, 40 ft., 80 ft. and 120 ft., respectively, east of 120th street (Block No. 2637, Lots Nos. 35 to 39), Jamaica, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent on N.B. App. Nos. 8343-38, 8345-38 and 8347-38, dated October 28, 1938, read:

"Item 1. The erection of a frame building within the fire limits is contrary to Section 4.1.2 (C-26-247.0) of Building Code."

and

WHEREAS, the buildings will be 1½ stories (20 ft.) in height, 23 ft. 4 in. by 41 ft. in area each, on a lot 40 ft. by 100 ft. in area each; of frame construction; brick veneer to the 1st story belt course; located in a business use, "D" area district; to be occupied as one-family dwellings; and

WHEREAS, the applicant contends that although zoned for business, there are no stores on 135th avenue for a distance of four blocks west of 120th street and about ten blocks east of 121st street; that the character of the neighborhood is all residential, containing houses mostly of brick veneer and frame or of wholly frame construction; and

WHEREAS, the board deemed that a variance of the Building Code provision should be granted, provided the buildings are made to comply substantially with the restrictive provisions of a residential district.

Resolved, that the decisions of the Borough Superintendent on N. B. App. Nos. 8343-38, 8345-38 and 8347-38, be and they hereby are *modified* and that the appeal be and it hereby is *granted* permitting the frame construction of the buildings, as proposed, *on condition* that the buildings shall be faced with brick veneer for one story in height; that each shall be used for residential purposes, occupied as a one-family dwelling each; that the unoccupied area of each lot shall comply with the requirements of the E area, residential district and in addition that there shall be a yard not less than five (5) feet in width on the side of the house where a side yard is not required under the E district regulations, except that a garage may be constructed on each plot on the lot lines, *provided* that the facing of the garage walls shall be in conformity with the house construction and that any windows opening upon the lot lines shall be steel sash, glazed with wire glass, made self-closing; that the interior construction may be as permitted for a frame dwelling outside the fire limits.

949-38-A.

APPLICANT—Palatial Building Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—120-03, 120-07, 120-09, 120-13, 120-17 and 120-21 135th avenue, north side from 120th street to 121st street (Block No. 2584, Lot Nos. 1, 3, 5, 8, 9 and 10), Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Benjamin Lorber.
For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(949-38-A)

WHEREAS, Benjamin Lorber, for Palatial Building Corporation, owner, filed October 28, 1938, an appeal from decisions of the borough superintendent, Dept. of Housing and Buildings, affecting premises 120-03, 120-07, 120-09, 120-13, 120-17 and 120-21 135th avenue, north side from 120th to 121st streets (Block No. 2584, Lot Nos. 1, 3, 5, 8, 9 and 10) Jamaica, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent on N.B. App. Nos. 8321-38, 8323-38, 8335-38, 8337-38, 8339-38 and 8341-38, dated October 28, 1938, read:

"Item 1. The erection of a frame building within the fire limits is contrary to Section 4.1.2 (C-26-247.0) of Building Code."

and

WHEREAS, the buildings will be 1½ stories (20 ft. in height), 23 ft. 4 in. by 41 ft. in area each, located on lot 30 ft. and 35 ft. frontage by 100 ft. in depth, respectively as shown on plans filed with this appeal; of frame construction, brick veneer to the 1st story belt course and frame and stucco above; to be occupied as dwellings for one and two families; and

WHEREAS, the applicant contends that although zoned for business, there are no stores on 135th avenue for a distance of four blocks west of 120th street and about ten blocks east of 121st street; that the character of the neighborhood is all residential, containing houses mostly of brick veneer and frame or of wholly frame construction; and

WHEREAS, the board deemed that a variance of the Building Code provision should be granted provided buildings are made to comply substantially with the restrictive provisions of a residential district.

Resolved, that the decisions of the borough superintendent, acting on N.B. App. Nos. 8321-38, 8323-38, 8335-38, 8337-38, 8339-38 and 8341-38, be and they hereby are *modified* and that the appeal be and it hereby is *granted* permitting the frame construction of the buildings as proposed, *on condition* that the buildings shall be faced with brick veneer for one story in height; that each shall be used for residential purposes, occupied as a one-family dwelling as to the interior lots and as a two-family dwelling on each of the corner lots; that the unoccupied area of each lot shall comply with the requirements of the "E" area, residential district and in addition that there shall be a yard not less than four (4) feet in width on the side of the house where a side yard is not required under the "E" district regulations, and that the unoccupied space between buildings on adjoining lots shall be not less than 8 ft. and that no building on the corner lot shall be nearer to the street lines of 120th or 121st streets than two (2) feet; that a garage may be constructed on each plot on the lot lines, provided that the facing of the garage wall shall be in conformity with the house construction and that any windows opening upon the lot lines shall be of steel sash, glazed with wire glass, made self-closing; that the interior construction may be as permitted for a frame dwelling outside the fire limits.

VARIATIONS OF LABOR LAW

502-27-S.

APPLICANT—Samuel Rosenblum, for Metropolitan Life Insurance Company, owner.

SUBPECT—Application for consideration—reopening and amendment—variation of the labor law as cited in orders of the fire commissioner.

PREMISES AFFECTED—16-24 West 47th street, south

side, 200 ft. west of Fifth avenue (Block No. 1262, Lot No. 48), Borough of Manhattan.

APPEARANCES—

For Applicant: S. Rosenblum.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(502-27-S)

WHEREAS, the petition for a variation from the requirements of the labor law, as cited in orders of the fire commissioner, affecting premises 16-24 West 47th street, southside, 200 ft. west of Fifth avenue (Block No. 1262, Lot No. 48), Borough of Manhattan, was granted by the Board, May 8, 1928 on certain conditions, resolution amended September 14, 1937 and the owner, through his representative, Samuel Rosenblum, requested a further amendment.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of May 8, 1928, as amended by resolution of the Board of September 14, 1937, so that as amended it shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* from the requirements of the labor law, and that the petition be and it hereby is *granted on condition* that the stair halls, corridors and required means of exit shall be enclosed in materials of fireproof construction, with self-closing, fireproof doors at all openings thereto; that any industrial operation shall be restricted to the minor repairs and adjustments of time pieces and jewelry offered for sale on the premises, including the boxes of leather or similar material in which said jewelry is offered for sale and that the amount of total space in the building used for any such industrial operation shall be limited to the space now so occupied.

Resolved further, that in the event the industrial operation as hereinbefore described, including the assembling of jewelry cases, is transferred to another floor, such transfer may be permitted, provided the total space so occupied for factory purposes does not exceed the total space now so occupied and that the requirements of this resolution in all other respects shall be complied with as well as the requirements of the resolution of Cal. No. 56-26-S."

1-38-S.

PPLICANT—Herman M. Cohn, for Raybar Realty Co., Inc., owner.

UBJECT—Variation of the labor law as cited in an order and a decision of the borough superintendent of buildings.

EMISES AFFECTED—469 Seventh avenue, southeast corner of West 36th street (Block No. 811, Lot No. 68), Borough of Manhattan.

PEARANCES—

For Applicant: Herman M. Cohn.

For Administration: Fred Dahlem, Department of Housing and Buildings.

TION OF BOARD—Application granted on condition.

E VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

E RESOLUTION—

(911-38-S)

WHEREAS, Herman M. Cohn, for Raybar Realty Co., Inc., owner, filed October 20, 1938, an application for a variation of the Labor Law as cited in a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 469 Seventh avenue, Southeast corner West 36th street (Block No. 811, Lot No. 68), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent on Alteration Application 2337-38 reads:

"5. All cellar stairs must be enclosed with 6 inch terra cotta enclosure and self-closing fireproof doors to comply with sec. 264 subd. 4 and sec. 270 subd. 7 of the Labor Law."

and

WHEREAS, the building is 16 stories (170 ft.) in height, 98.9 ft. by 140 ft. in area, of fireproof construction, erected in 1919 and occupied: Cellar, salesroom, 2 persons; 1st floor, stores, mezzanine, office, combined occupancy 1st floor and mezzanine, 6 persons; 2nd floor, showrooms 90 persons; 3rd floor, same; 4th floor factory, 90 persons; 5th to 16th floors, showrooms, 90 persons per floor, for which certificate of occupancy No. 3084 was issued February 15, 1929; and

WHEREAS, applicant contends that the store in question is enclosed with 6 inch terra cotta block partitions and has one means of egress to Seventh avenue and one to West 36th street; that the stair in question is an accommodation stair for use of the cellar space in connection with the store on the first floor; that there will be no manufacturing carried on in connection with the store; that the stair is constructed of incombustible materials, as shown on plans filed with this application.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in decision of the Borough Superintendent, in acting on Alt. App. 2337-38 Objection No. 5, and that the application be and it hereby is *granted on condition* that the stairway shall be constructed of fireproof materials and that the store with its cellar space below shall be separated from the balance of the building with fireproof partitions; and, *granted* only so long as the premises are used as proposed, as a cellar showroom in connection with the first story showroom for a clothing establishment; that no manufacturing shall be carried on in the cellar space; that the sprinkler, standpipe and interior fire alarm systems shall be maintained to the satisfaction of the Fire Commissioner and that the requirements of the Board under Cal. No. 311-28-S shall be complied with.

APPLIANCES SUBMITTED FOR APPROVAL

219-36-SA.

APPLICANT—Morris Goldstein for Bronx Range Oil Burner Co., owner.

SUBJECT—Bronx Faultless Oil Burner for Pressing Machine, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance disapproved in accordance with the report of the engineer of the board.

THE VOTE TO APPROVE—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(219-36-SA)

WHEREAS, Morris Goldstein, for Bronx Range Oil Burner Company, owner, filed July 9, 1936, an application with the Board of Standards and Appeals for approval of the device known as the Bronx Faultless Oil Burner for Pressing Machines; and

WHEREAS, this device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board supplemented by that of the representatives of the Division of Combustibles of the Fire Department, was substantially as follows:

"The burner consists of a circular cored iron casting, bored for ⅞ in. lava flame disc. A seamless steel generator is fastened above the casting for generating oil vapors by pre-heating with gas. The air and vapor chamber is flanged and fastened to burner; blower and motor of 1/30 H.P. is fastened to the air chamber and delivers air to mix with the vapor through the burner.

The burner operation is started by means of gas supplied from the house line until such time as the oil generator reaches a proper heat. When this heat is reached, the oil is turned on and the gas shut off. The burner then operates on an oil flame. A pressure regulator, oil valve and air control are assembled and fastened on the right side of the air chamber casting.

The pressure control consists of a bellow type regulator and is attached to the pressure gauge of the boiler by copper tubing set to operate when the steam in the boiler reaches a given pressure, namely 65 to 75 pounds. When this pressure is reached, the regulator should shut down the burner to a lower flame. When a pressure of 45 pounds is reached, the burner then should go on full operation with the oil supply fully turned on. The burner is also equipped with a trip bucket anti-flooding device which, in case of an abnormal supply of oil being delivered to the burner, automatically shuts down the operation of the burner.

The burner was tested and it was found that when the pressure of 65 to 75 pounds was reached, the bellow type regulator, which is manufactured by the manufacturer of the burner, failed to function and the pressure continually rose in the boiler until 90 pounds was reached. The flange connection between the cast iron burner base and the air tube showed a leakage of oil vapors at this time.

Due to the fact that the pressure regulating device with which this burner is equipped, is not positive in its action, and further, due to the fact that the joint between the burner and the blower housing was not tight at the time of this inspection it is therefore recommended that this burner be disapproved."

and

WHEREAS, this report recommended the disapproval of the device.

Resolved, that the Board of Standards and Appeals does hereby *disapprove* the device known as the Bronx Faultless Oil Burner and does prohibit the use of this device in New York City.

493-38-SA.

APPLICANT—George Darche, for Prentiss Wabers Products Co., owner.

SUBJECT—Preway Circulating and Radiating Type Oil Burning Space Heater, Models 906P, 907P, 300P, 918P, 920P, 930P and 933P—approval of.

APPEARANCES—
For Applicant: George R. Darche.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(493-38-SA)

WHEREAS, George Darche, for Prentiss Wabers Products Co., owner, filed June 15, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Preway Circulating and Radiating Type of Oil Burning Space Heater, Models 906 P; 907 P; 300 P; 918 P; 920 P; 930 P and 933 P; and

WHEREAS, the device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board supplemented by that of the representative of the Division of Combustibles of the Fire Department, was substantially as follows:

These radiating and circulating heaters are all equipped with a Breese pot type burner, consisting of an outer shell of pressed stainless steel and an inner shell of perforated stainless steel and are of the natural draft type.

The circulating heaters are manufactured in four models in three sizes.

MODELS 930 P and 933 P are equipped with 10 in. and 13 in. burner pots respectively, while *MODELS 920 P and 918 P* use 10 in. and 8 in. pots respectively.

The radiating models are made in two sizes—*300 P and 907 P* using 10 in. pots, while the *906 P* is equipped with an 8 in. pot.

These burners are all equipped with Automatic Products constant level valves to govern the supply and flow of oil to the burner. Each burner is equipped with a 5-gallon gravity feed oil supply tank.

In the case of the radiating type burners, a double metal shield has been provided between the outside of the heater and the supply tank.

In the case of the circulating type, a single layer metal shield has been provided between the tank and the outer shell of the heater and another between the smokepipe connection and the top of the tank.

All these burners are equipped with a Cole draft regulator which has been approved by the Board of Standards and Appeals.

MODELS 930 and 906 were operated and tested and it was found that the burners operated as designed and the controls were positive in action.

All models are designed for connection to a chimney by means of a flue.

The burner, under test, was found to function as designed.

In recommending these burners for approval, it is recommended that certain items be carried out in their installation and incorporated on their instruction cards, and that this approval be not final until a copy of said instruction card has been filed with the Board of Standards and Appeals.

As these burners were installed in accordance with the provisions of the Oil Burner Rules, adopted by the Board of Standards and Appeals, it is recommended that Preway Circulating and Radiating Type Oil Burning Space Heater, Models 906 P; 907 P; 300 P; 918 P; 920 P; 930 P and 933 P, be approved for use in domestic and commercial installations, with fuel oil not heavier than No. 1 or Range, U. S. Dept. of Commerce standards.

Resolved, that the Board of Standards and Appeals does hereby approve the device known as the Preway Circulating and Radiating Space Heater, Models 906 P; 907 P; 300 P; 918 P; 920 P; 930 P and 933 P, for use in domestic and commercial installations with fuel oil not heavier than Range Oil or No. 1 fuel oil, U. S. Dept. of Commerce standards, *on condition* that the burner shall be installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the following additional requirement:

1—Only safety cans approved by the New York Fire Department shall be used for the storage and filling of oil containers.

2—The storage container shall bear a label reading: ONLY AN APPROVED SAFETY CAN SHALL BE USED IN FILLING THIS STORAGE CONTAINER.

3—Floor beneath the oil burning device shall be protected by a ½ in. asbestos or other equivalent shield,

extending at least 12 in. beyond the outline of such device.

4—The manufacturer or installer of this burner shall within 48 hours after each installation, notify the Fire Department in writing of the name of the person to whom this burner was sold and the address of the premises where installed.

5—The device shall bear a label permanently affixed thereto reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 493-38-SA.

719-38-SA.

APPLICANT—Westinghouse Electric Elevator Company, owner.

SUBJECT—Westinghouse Interlock for Automatic Elevators, Types SW-1 and SW-2—approval of.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(719-38-SA)

WHEREAS, the Westinghouse Electric Elevator Company, owner, filed August 12, 1938, an application with the Board of Standard and Appeals for approval of the device known as the Westinghouse Interlock for Automatic Elevators, Types SW-1 and SW-2; and

WHEREAS, this device was submitted to the Committee on Tests for test and report; and

WHEREAS, the report of the Committee on Tests was as follows:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. No. 719-38-SA.

Subject: Westinghouse Interlock for Automatic Elevators, Types SW-1 and SW-2.

October 29, 1938.

The Westinghouse Electric Elevator Co. of New York City filed with the Board a request for the approval of their device known as Westinghouse Type SW Interlock for use with Automatic Elevators under C26-912.0 A.C. (13.2.3.2.6 B.C.). This interlock is manufactured in two types, type SW-1 is arranged for jamb mounting and type SW-2 for surface mounting on existing doors, both used with swing doors. These interlocks come within the purview of C26-914.0 par. 2 A.C. 13.2.3.3.1 sub. 2 BC, Hoistway Unit System.

These interlocks consist of case with cover which houses two contact assemblies and a shaft assembly (See drawings filed with this application). The shaft assembly supports a contact bridge for bridging one of the contact assemblies and a latch for locking the door. A lever arm is mounted on the shaft outside the case, which carries a roller which operates with the retiring cam. On the swing door is a door hook for locking the door. The door hook supports a contact bridge which bridges the second contact assembly.

These interlocks operate as follows: When the car is between floors the door is closed, the level arm being in its lowest position which locks the door and completes the interlock circuit through both contact assemblies and permits the elevator to travel. At floor stops the retiring cam extends and raises the lever arm which simultaneously unlocks the door and opens the interlock circuit and thus prevents any movement of the elevator. Opening the door opens the circuit through its contact assembly and causes a break in the interlock circuit. To complete this circuit and to permit the elevator to travel, both contact, assemblies are bridged, one by closing the door, the other by the contact bridge on the swinging latch which bridges the contact assembly only when the latch is in position to lock the door. Tests on these interlocks as required under Sub. Article 9, Group 1 AC (13.8.1 B.C.) were conducted at the Underwriter's Laboratories, New York City (Report of which is filed in this application) wherein this device was recommended as meeting the aforementioned tests, as required in the Administrative Code of New York City. A supplementary letter is filed by the applicant, wherein he states that the device has been designed to function at temperatures from 25 to 140 degrees Fahrenheit, as required in C26-1179 A.C. (13.8.1 1st paragraph B.C.).

On the basis of these tests the Committee recommends the approval of the Westinghouse Type SW-1 and Type SW-2 interlocks, as manufactured by the Westinghouse Electric Elevator Company under C26-914, par. 2 A.C. (13.2.3.3.1 sub. 2 B.C.) Hoistway Unit System, since the device has satisfactorily met the requirements of Sub. Art. 9, Group 1 A.C. (13.8.1 B.C.).

It is further recommended that each interlock shall have a decalcomania or a label bearing the following: "Approved by the Board of Standards and Appeals for Use in New York City under Cal.. 719-38-SA.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer,
Committee.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Westinghouse Interlock for Automatic Elevators, Types SW-1 and SW-2, *on condition* that the device be manufactured, installed and labelled in accordance with the above report.

837-38-SA.

APPLICANT—R. E. Daly, for American Radiator Company, owner.

SUBJECT—Ideal Arco Variflame Oil Burner, approval of.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(837-38-SA)

WHEREAS, R. E. Daly, for American Radiator Company, owner, filed October 3, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Ideal Arco Variflame Oil Burner; and

WHEREAS, this device was submitted to the Engineer of the Board for test and report; and

WHEREAS, the report of the Engineer of the Board supplemented by that of the representatives of the Division of Combustibles of the Fire Department was substantially as follows:

The burner was installed in a small domestic hot water system, and is of the mechanical draft pot type. The burner pot is of the Breeze type consisting of an outer pressed steel shell and an inner steel vaporizing shell, constructed of perforated stainless steel. Across the top of the pot there is a cast iron ring used as a flame spreader. The air is supplied by means of a small Delco 1/100 H.P. motor. The diameter of the burner pot is 8 inches.

Controls—Detroit Lubricator Constant Level Valve No. 236 is used for regulating and governing the supply of oil to the burner. This float valve is equipped with a small by-pass which allows a small amount of oil to go to the burner and act as a pilot light; a Detroit Lubricator Aquastat or a Detroit Lubricator Limiting device, type 250, when used with steam instead of hot water.

The burner was operated and during the period of test the controls functioned as designed. When the required heat was obtained on the thermostat, the burner then automatically went to low flame which is maintained by means of the pilot light mentioned above.

During the period of test there were no flare backs and an examination of the combustion chamber showed the same to be free of carbon deposits. The flame was free of soot and smoke.

As a result of this inspection and test, it is recommended that the Ideal Arco Variflame Oil Burner, be approved for domestic industrial and commercial use, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, with fuel oil not heavier than No. 3, U. S. Department of Commerce Standards.

Resolved, that the Board of Standards and appeals does hereby *approve* the device known as the Ideal Arco Variflame Oil Burner, for domestic, commercial and industrial use, with fuel oil not heavier than No. 3, U. S. Department of Commerce Standards, *on condition* that the device shall be installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and shall bear a label permanently affixed thereto reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For use in New York City
UNDER CAL. No. 837-38-SA.

MATERIALS SUBMITTED FOR APPROVAL

355-38-SM.

APPLICANT—Pennsylvania Wire Glass Company, owner.

SUBJECT—Approval of Pennsylvania Original Solid Corrugated Wire Glass, manufactured by Pennsylvania Wire Glass Company.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(355-38-SM)

WHEREAS, the Pennsylvania Wire Glass Company, owner, filed May 11, 1938 an application with the Board of Standards and Appeals for approval of the material known as the Pennsylvania Original Solid Corrugated Wire Glass for use in skylights; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests was as follows:

REPORT OF COMMITTEE ON TESTS.

"Re: Cal. No. 355-38-SM.
Subject: Pennsylvania Solid Corrugated Wire Glass.
October 28, 1938.

The Pennsylvania Wire Glass Co. of Philadelphia. Pa., filed with the Board a request for the approval of a skylight manufactured with a material known as the *Original Solid Corrugated Wire Glass* under C 26-676.0 A.C. (10.12.7.1 BC) and C 26-347.0 A.C. (7.3.2.5 B.C.).

This material consists of a corrugated sheet of glass in which is embedded a wire netting during the process of manufacture. The corrugations have a pitch of 2.52" and are 1" deep overall with a minimum thickness of 3/8". The sheet is available in a maximum width of 27¾" and of varying lengths up to 10'-0".

Tests were conducted on this corrugated wire glass at the Massachusetts Institute of Technology, Cambridge, Mass. This test consisted of loading a slab of this material at the third point to failure. The distance between supports was 48" and the width of the glass slab was 25¼". Failure occurred when the equivalent uniformly distributed load reached 80 lbs. sq. ft. On the basis of this test and under C26-626.0 A.C. (10.3.8 B.C.) this material may be rated for a vertical live load of 20 lbs./sq. ft. Such a material is specified under C26-347.0 A.C. (7.3.2.5 B.C.) where the *rise exceeds* 12" *per foot* of horizontal projection and its use permitted under C-26-676.0 A.C. (10.12.7.1 B.C.) as a substitute for the metal constructed skylight specified therein.

It is therefore recommended that the Pennsylvania Solid Corrugated Wire Glass be approved for use as a skylight C26-676.0 A.C. (10.12.7.1 B.C.). Approval is also recommended for use on roofs *where the rise exceeds* 12" *per foot of horizontal projection* and for a specified wind load of 20 lbs./sq. ft. C26-347.0 A.C. (7.3.2.5 B.C.) provided that no sheet exceeds 27¾" in width and a maximum span of 48" between supports and with the glass set at an angle *greater than* 45° The sheets of glass are to be laid edge to edge (not lapping) with ½" spaces between sheets. The open joints between these sheets to be covered with exterior metal covered caps and metal inner strips shaped like the corrugations in the glass and then the cap and strip to be bolted together with bolts 9" c-c. Where structural supports occur, clips are to be provided, engaged by bolts passing through the cover caps to secure the glass in place and cushioned on structural supports by an asphalt strip and by a sealing strip where it laps over other glass. At the eaves the openings are to be sealed with a sealing strip (used in conjunction with ridges or flashings).

It is also recommended that each slab of this material shall have etched on the glass or a label affixed, bearing the following: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 355-38-SM."

(Sgd.) BERNARD A. SAVAGE
Commissioner.
LESLIE V. HUBER
Chief Engineer.
Committee.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Pennsylvania Original Solid Corrugated Wire Glass, for use in skylights, when manufactured, installed and labelled in accordance with the above report.

508-38-SM.

APPLICANT—A. L. O'Brien, The American Brass Company, for Edward J. Walsh, owner.

SUBJECT—Approval of Walsh Waterproofing Method, manufactured by Edward J. Walsh.

APPEARANCES—
For Applicant: Edward J. Walsh.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(508-38-SM)

WHEREAS, A. L. O'Brien, for Edward J. Walsh, owner, filed June 20, 1938, an application with the Board of Standards and Appeals for approval of the method of construction known as the Walsh Waterproofing Method A; and

WHEREAS, this method of construction was submitted to a committee of the board for test and report; and

WHEREAS, the report of the committee of the board is as follows:

REPORT OF COMMITTEE ON TESTS

Cal. No. 508-38-SM.

Subject: Walsh Waterproofing Method A.

July 19, 1938.

A. L. O'Brien, for the American Brass Co., on behalf of Edward J. Walsh, owner, filed June 20, 1938, an application with the Board of Standards and Appeals, for approval of the method of construction known as the Walsh Waterproofing Method A.

This method of construction consists of the provision of a waterproofing membrane composed of sheet copper weighing not less than 2 ounces per sq. ft., backed up with sisalkraft waterproof building paper, the paper being fastened to the copper by a specially prepared asphalt binder. On parapet walls, the waterproofing membrane is laid under a copper cap which covers the embedded brick course under the coping to a depth not less than 5 inches on both sides. The brick course directly below the coping on the face brick side is provided with copper anchors riveted to a copper sheet, these anchors extending frontward not less than 3½ inches into the mortar joint. They are 1 inch in width, perforated with 3 holes to secure bond to the mortar. These anchors are provided every 8 inches, excepting that each 3rd anchor is double-sized, provided with a copper weep hole with a filler of jute to prevent mortar from filling hole and, also, to prevent crushing during construction. The rear anchors extend into the masonry backing for a distance of not less than 8 inches with not less than 5 perforations to secure bond to mortar. Both anchors are mounted on a copper sheet 5 inches in height and may be extended to any desired length, and are securely riveted with buttonhead to the copper sheet, and rivet bearing is provided by at least ½ inch dia. washers. The waterproofing membrane is then placed behind the 10 oz. copper sheet and extended downward to the next bond course where anchors similar to the aforementioned are again provided. The construction extends along the face of the building to the base course and is continued similarly on the inside face of the parapet until it meets the counterflashing of 10 oz. copper. This counterflashing meets the roof flashing which is made of the same material of the same thickness. The membraneous material is continued behind the bond course of brick. At the top of each bond course, waterproof sheets, consisting of 10 oz. copper with anchors, as previously described, are provided. This copper sheet is placed over the bonding course and waterproof membrane is then applied in a manner so that any water that may penetrate shall be deflected downward. For use at water tables and over openings, a copper sheet with anchors riveted thereto, extending vertically into the brick work for not less than 2 inches and made of such width as to suit the job requirements with copper weep hole anchors 24 inches on centers shall be provided. The copper sheet for use over *header courses* of brick consists of 10 oz. copper Zee shaped with a side extending downward, 2 inches in length and extending upward 3 inches in length into the masonry with anchors of copper fastened and perforated to secure grip in the mortar. The single anchors on the face brick side are 3½ inches in length by 1 inch in width, of 10 oz. copper, while the anchors with weep holes are 3½ by 2¼ inches. These double anchors with weep holes shall be spaced 24 inches on centers.

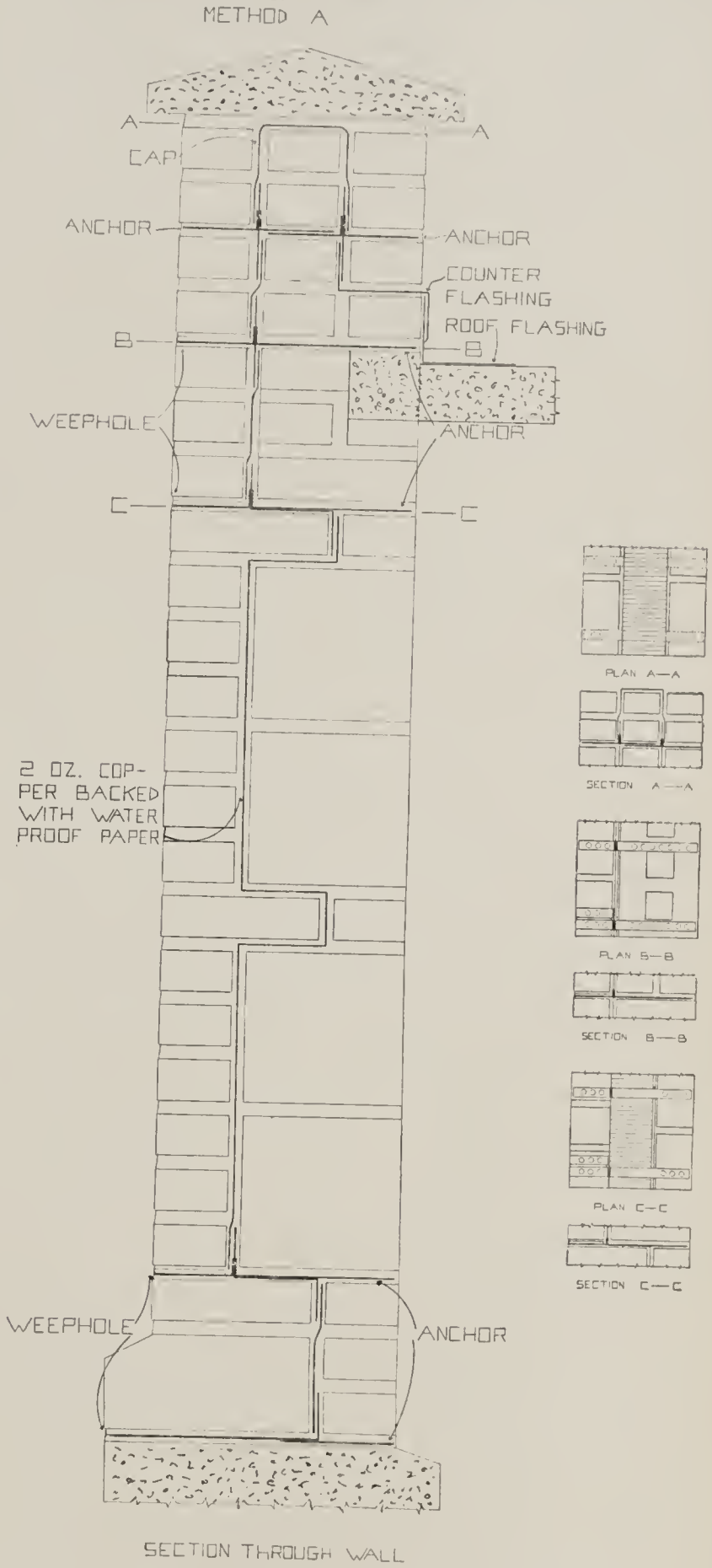

FIGURE 1

This method of construction is also used in brick veneer construction where the anchors are nailed to the studs through a kerf cut in the siding and the waterproof membrane tacked to the sheathing with copper nails and the anchors to be extended into the veneer brickwork, as required by the code for brick veneer masonry. This upper membrane at the intersecting seam shall be backed with the copper sheet previously described, made of 10 oz. copper and pro-

vided with anchors in the masonry, and for fastening to the studs 16 inches on centers and with the copper sheet not less than 4 inches in height, with weep holes not less than 24 inches on centers.

This method of construction was tested at Peekskill, New York, where a sample of wall with parapet was erected (see photograph filed with this record). A hose stream was applied to the weather surface of this wall, after which the face brick course was removed and on removal of the Walsh waterproofing membrane, the back up masonry was found to be thoroughly dry.

On the basis of this test, it is recommended that the Walsh Waterproofing Method A, be approved for use as a waterproofing in masonry construction for use *only* with *Portland cement mortar free of lime* and that each installation shall be supervised. This form of construction shall be in accordance with the details of this report, in accordance with drawings filed, and in accordance with (8.4 BC) Art. 9, Sub. Art. 4, Masonry Construction A.C. in buildings not exceeding six stories in height, of all classifications, where walls are not less than 12 inches in thickness and not limiting its use in frame and brick veneer walls, where the copper sheet is nailed to the studs and anchored in masonry with the membrane, copper nailed to sheathing. When used in New York City, each roll of membrane waterproofing and each strip of 10 oz. copper sheet with anchors riveted, shall be stamped, labeled or marked "Approved by the Board of Standards and Appeals, Cal. No. 508-38-SM." for use in masonry laid up in portland cement mortar *free of lime*.

(Sgd.) BERNARD A. SAVAGE,
CHARLES M. BLUM,
Commissioners.
LESLIE V. HUBER,
Chief Engineer.

and

WHEREAS, the Walsh Method A of construction was approved by the board July 20, 1938 on certain conditions and applicant requested an amendment of the resolution; and

WHEREAS, a further report of the Committee on Test reads:

Re.: Cal. No. 508-38-SM.
Subject: Walsh Waterproofing Method. (Method as now approved to be known as Method A.)
Walsh Waterproofing Method B.

The Committee on Tests recommends the approval of the additional Walsh Waterproofing Method B (see Figure 2), which is practically the same as Method A, except for an alternate method of protecting the parapet wall. This change is as illustrated in Figure 2, and consists of the 2 oz. copper coated Sisalkraft waterproofed paper and the 10 oz. counter flashing capped by a 10 oz. copper cap placed downward and overlapping the two waterproofing protections at the midpoint of the vertical point between the bricks. Any water leaking in from above will be deflected along either face of these waterproofing surfaces. The 10 oz. counter flashing is then carried to the inside face of the parapet wall and extends downward over the roof flashing as in Method A.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby *approve* the method of construction known as the Walsh Waterproofing Methods A and B, for use in New York City, under the specifications and conditions set forth in the above reports.

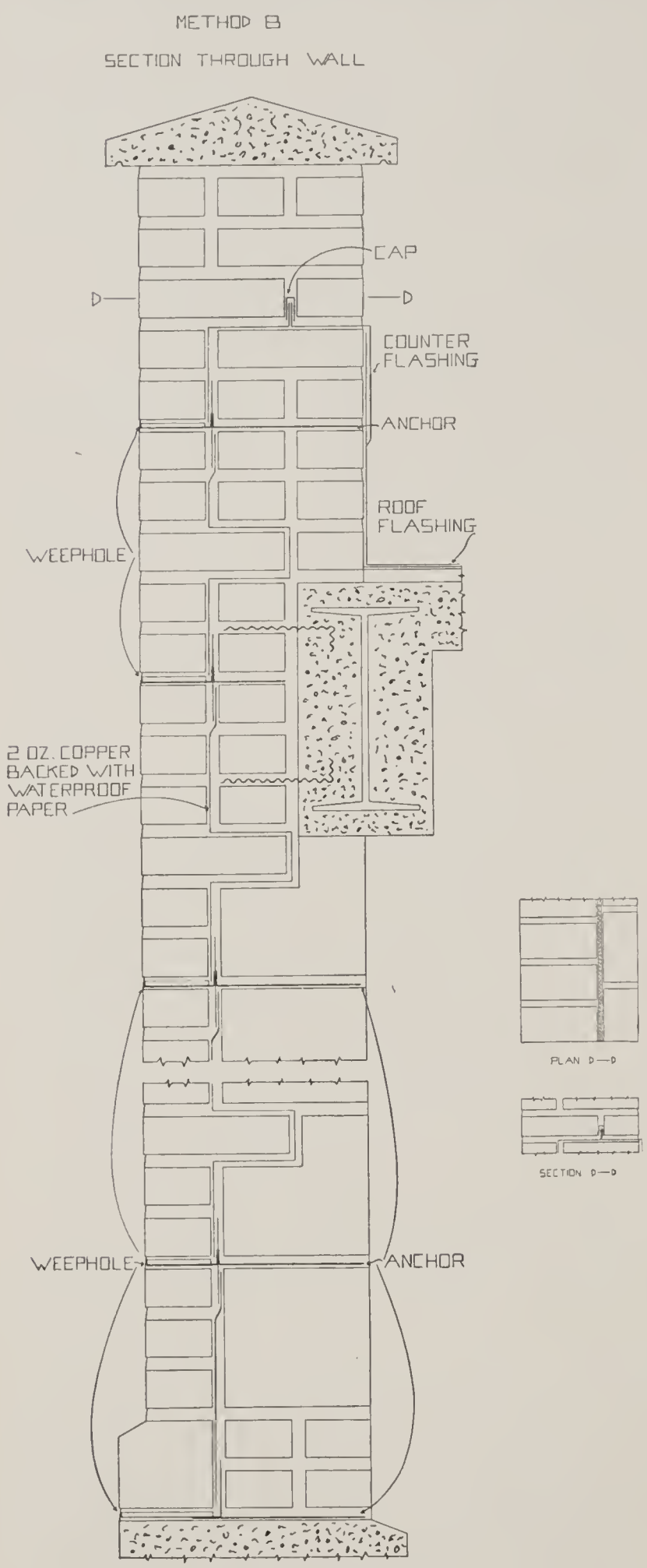

FIGURE 2

669-38-SM.

APPLICANT—American Radiator Company, owner.
SUBJECT—Arco Cast Iron Pipe and Fittings, Sizes 2, 3, 4, 5 and 6—approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

MINUTES

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistan' Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(669-38-SM)

WHEREAS, the American. Radiator Company, owner, filed July 26, 1938, an application with the Board of Standards and Appeals for the approval of the material known as the Arco Cast Iron Pipe and Fittings, Sizes 2, 3, 4, 5 and 6; and

WHEREAS, this material was submitted to the Committee on Tests of the board for test and report; and

WHEREAS, the report of the Committee on Tests was as follows:

REPORT OF COMMITTEE ON TESTS.

October 31, 1938.

Cal. No. 669-38-SM.

Subject: Arco Cast Iron Pipe and Fittings.

The American Radiator Co. of New York, filed July 26, 1938, an application with the Board of Standards and Appeals for approval of their material known as Arco Cast Iron Pipe and Fittings, Sizes 2, 3, 4, 5 and 6 inches nominal inside diameter under (14.3.14 B.C.) C 26-1240.0 A.C. entitled "New Plumbing Materials" (14.3.3B.C.) C 26-1229-0 A.C. cast iron water, soil and waste pipe and fittings, plain end and bell end, male and female threaded. Inspection and tests.

Specification of Various Fittings and Pipe Sizes. Comparative specifications of cast iron pipe specified in 14.3.3. with the weights of the material as follows:

Size	Wgt. per ft. X.H.	Wgt. per ft. Arco A.S.T.M.	(Single unit)
2 inches ...	5.0	5.041	5.5
3 inches ...	9.0	9.410	9.5
4 inches ...	12.0	13.750	13.0
5 inches ...	15.0	19.054	17.0
6 inches ...	19.0	26.224	20.0

(*Note.*—Arco pipe in the 2 and 3 inch sizes falls slightly short of meeting the code requirements, because of the construction of the joint used which differs from the regulation hub type.)

Report of a laboratory test by the Underwriters is filed with the application.

Chemical Analysis of Arco Cast Iron Pipe (Underwriters Test).

Silicon ..... Average	2.14
Sulphur	0.108
Phosphorus	0.30
Manganese	0.67
Graphite Carbon	2.82
Combined Carbon	0.49
Total Carbon	3.31

Manufacture of Arco Cast Iron Pipe.

This material is manufactured at the plant of the Applicant located at Springfield, Ill. Inspection and tests were conducted by the board and the process of manufacture noted as follows:

All sizes of Arco pipe are cast in special vertical mold to insure a smooth surface in plain and bell ends in lengths of six feet. After casting and cooling they are thoroughly cleaned and examined for imperfections. Sound pipe is then tested hydrostatically to a pressure of 400 lbs. per sq. in. and then examined for trueness and uniformity of walls. Sound and true pipe is then selected for welding which is done in multiples of 6 ft. lengths up to 18 ft. by means of electro-resistance welding. This method of welding consists in bringing the pipe sections together after the end surfaces are first ground true and placed in a constrained die and brought together hydrostatically after which the electric current is turned on and preliminary heat process applied. The electric current is then shut off, pipes pulled apart slightly then rejoined and pressed together and the welding process completed. By means of mirrors the welder is able to observe the welding process through all its stages and obtain a uniform and sound joint. Immediately after welding and while the joint is still glowing a cherry red the welder reams out the inside of the weld to obtain a smooth surface. The welded pipe is then examined for trueness, cooled and tested to a hydrostatic pressure of 400 lbs. per sq. in. Immediately prior to this hydrostatic test the finished length of pipe, be it 12 or 18 ft., is subjected to a bending test to a deflection of 1½ inches, the pipes are then threaded and provided with metal thread protection caps. Samples of these pipes were subjected to pressure and bending tests in the presence of the committee and the results were found to agree with the catalogue statement of the manufacturer. It was noteworthy that a 2-inch section of Arco pipe 12 ft. long deflected 2¾ inches when held rigidly at the ends and load applied at center where weld was located, the final break was clean and occurred 4 inches to one side of the weld. A section of 2 inch Arco pipe 6 ft. long was tested to failure at an internal hydrostatic pressure of 7,300 lbs. per sq. in. Observations were also made of the method of field threading and cutting and it was found that a good true sharp thread with complete absence of jagged edges could be obtained.

On the basis of the above report it is recommended that the Arco Cast Iron pipe and fittings 2, 3, 4, 5 and 6 inches nominal inside diameter be approved under Sect. C 26-1229.0 Administrative Code (14.3.3BC) for use in New York City on condition that the pipe and fittings shall be labelled or stencilled Approved by the Board of Standards and Appeals Cal. No. 669-38-SM and on condition that when installed all joints and connections shall be made gas and water tight (C.26-1242.0 AC 14.4.1 BC) and that the piping shall comply with Sect. C 26-1246.0 AC (14.4.5 BC) as to field cutting and threading and shall comply with the requirements for expansion and contraction of Sect. C.26-1253.0 AC (14.4.12 BC) and shall be provided with hangers and supports as required by Sub. Art. 6 of the Administrative Code (14.6 BC), and as to the installation of stacks of pipe shall comply with Sub. Art. 9 of the Administrative Code (14.9 BC) and each installation shall be tested in accordance with the requirements of Sub. Art. 12 of the Administrative Code (14.12 BC) and on condition that field welding of this pipe and fittings is prohibited.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Arco Cast Iron Pipe and Fittings, sizes 2, 3, 4, 5 and 6 inches for use in New York City when manufactured, installed and labelled or stencilled, in accordance with the above report.

716-38-SM.

APPLICANT—B. C. Berry, for The Clement-Hallows Company, owner.

SUBJECT—Alumintop Nos. 1, 5 and 6 (re-roofing), approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(716-38-SM)

WHEREAS, B. C. Berry, for the Clement-Hallows Company, owner, filed August 12, 1938, an application with the Board of Standards and Appeals for approval of the material known as Alumintop Nos. 1, 5 and 6 for reroofing; and

WHEREAS, this material was submitted to the Committee on Tests for report; and

WHEREAS, the report of the Committee on Tests was as follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 716-38-SM

Subject: Alumintop Nos. 1, 6, 5 for reroofing.

The Clement Hallows Co. filed August 12, 1938, and application with the Board of Standards and Appeals for approval of the material known as Alumintop Nos. 1, 6, 5 for reroofing the material is built on the job over old roofs as follows:

Alumintop No. 6—No. 5

1st a brush coat of waterproofing compound
2 a layer of burlap
3 a layer of filling material in powdered form
4 brush coat of waterproofing compound
5 finish of aluminum flakes floated on surface

with a total weight of 30 lbs. per square.

Alumintop No. 1

An application of waterproofing compound and old roofing when the old roofing consists of at least 5 coverings of roofing felt including cap sheet with a finish of aluminum flakes floated on oil. The waterproofing is applied at the rate of two gallons per 100 sq. ft.

Brand tests in accordance with the requirements of the Administrative Code C26-605.7.8.0 (10.1.16.1.2.3. B.C.) were conducted. Test specimens as follows:

The samples of roof construction tested consisted of a 3 ft. by 5 ft. panel made of wood sheathing (roofers) 1" x 6" nailed to 2" x 4" joists covered wit old roofing material and alumintop.

Test No. 1. Alumintop No. 6 on old roofing—bran burned for 38 minutes and glowed for five minutes burlap burned through; old roofing paper charred an wood stained. (See Photo Alumintop No. 6.)

Test No. 2. Alumintop No. 5. Brand burned for 2 minutes and glowed for 2 minutes. Top layer of roo ing charred but wood deck not affected. (See Phot Alumintop No. 5.)

Test No. 3. Alumintop No. 1. Brand burned 24 mir utes, glowed 4 minutes, layers burned through an wood charred 3/8 inch.

On the basis of these tests it is recommended tha Alumintop No. 5 and Alumintop No. 6 be approve when manufactured and used in accordance with th above report on condition that the material shall b marked or labelled on each roll "Approved by th Board of Standards and Appeals, Cal. No. 716-3 SM" and that the request for approval of Aluminto No. 1 be withdrawn.

(Sgd.) CHARLES M. BLUM,
Commissione
LESLIE V. HUBER,
Chief Enginee
Committe

and

WHEREAS, the applicant has withdrawn his request fo approval of Alumintop No. 1.

Resolved, that the Board of Standards and Appeals do hereby *approve* the material known as Alumintop No. and Aluminton No. 6, for reroofing, when manufacture installed and labelled in accordance with the above repor

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Adjourned, 4:30 P. M.

EDWARD V. BARTON, Chief Clerk.

BOARD OF STANDARDS AND APPEALS

SPECIAL MEETING

FRIDAY MORNING, NOVEMBER 4, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

APPEALS FROM ADMINISTRATIVE ORDERS

850-38-A.

APPLICANT—James Haughey, neighboring property owner.

OWNER OF PREMISES—Henrietta Coopersmith.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re—Revocation of Certificate of Occupancy No. 2289-34 for stable for more than five (5) horses (Riding Academy).

PREMISES AFFECTED—North side of Walling street, 100 ft. east of Northern boulevard (southeast corner of Sybilla street and Viola place); (Block No. 3895, rear of Lot No. 1), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Victor D. Borst, Jr.

For Owner: Jacob Beller, Irving Coopersmith, Bertha Coopersmith and Henrietta Coopersmith.

For Administration: Benjamin Saltzman, Department of Housing and Buildings and Dr. Oberwager, Health Department.

ACTION OF BOARD—Laid over to November 18, 1938, at 10 A. M., on request of owner. No furth adjournment to be granted.

851-38-A.

APPLICANT—James Haughey, neighboring proper owner.

OWNER OF PREMISES—Henrietta Coopersmith.

SUBJECT—Appeal from a decision of the borough supe intendent of buildings re Revocation of Certifica of Occupancy No. 2290-34 for stable for mo than five (5) horses (Riding Academy).

PREMISES AFFECTED—East side of Northern boul vard, 92 ft. north of Walling street (Block N 3895, Lot No. 29), Forest Hills, Borough Queens.

APPEARANCES—

For Applicant: Victor D. Borst, Jr.

For Owner: Jacob Beller, Irving Coopersmit Bertha Coopersmith and Henrietta Coope smith.

For Administration: Benjamin Saltzman, Depar ment of Housing and Buildings and Dr. Obe wager, Health Department.

ACTION OF BOARD—Laid over to November 18, 193 at 10 A. M., on request of owner. No furth adjournment to be granted.

852-38-A.

APPLICANT—James Haughey, neighboring proper owner.

MINUTES

OWNER OF PREMISES—Henrietta Coopersmith.
SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 2288-34 for stable for more than five (5) horses (Riding Academy).
PREMISES AFFECTED—North side of Walling street, 100 ft. east of Northern boulevard (northwest side of Walling street and Wanda place); (Block No. 3895, front of Lot No. 1), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: Victor D. Borst, Jr.
For Owner: Jacob Beller, Irving Coopersmith, Bertha Coopersmith and Henrietta Coopersmith.
For Administration: Benjamin Saltzman, Department of Housing and Buildings and Dr. Oberwager, Health Department.
ACTION OF BOARD—Laid over to November 18, 1938, at 10 A. M., on request of owner. No further adjournment to be granted.

53-38-A.
APPLICANT—James Haughey, neighboring property owner
OWNER OF PREMISES—Henrietta Coopersmith.
SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 2284-34 for stable for more than five (5) horses (Riding Academy).
PREMISES AFFECTED—Northwest corner of Walnut street and 71st (Continental) avenue (Block No. 2805, Lot No. 1), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: Victor D. Borst, Jr.
For Owner: Jacob Beller, Irving Coopersmith, Bertha Coopersmith and Henrietta Coopersmith.
For Administration: Benjamin Saltzman, Department of Housing and Buildings and Dr. Oberwager, Health Department.
ACTION OF BOARD—Laid over to November 18, 1938, at 10 A. M., on request of owner. No further adjournment to be granted.

-38-A.
APPLICANT—James Haughey, neighboring property owner.
OWNER OF PREMISES—Henrietta Coopersmith.
SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 2286-34 for stable for more than five (5) horses (Riding Academy).
PREMISES AFFECTED—North side of Walling street, 150 ft. east of Northern boulevard (north side of Walling street, 180 ft. east of Westerly Lot Line); (Block No. 3895, Lot No. 34 and part of Lot No. 35), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: Irving D. Borst, Jr.
For Owner: Jacob Beller, Irving Coopersmith, Bertha Coopersmith and Henrietta Coopersmith.
For Administration: Benjamin Saltzman, Department of Housing and Buildings and Dr. Oberwager, Health Department.
ACTION OF BOARD—Laid over to November 18, 1938, at 10 A. M., on request of owner. No further adjournment to be granted.

856-38-A.
APPLICANT—James Haughey, neighboring property owner.
OWNER OF PREMISES—Henrietta Coopersmith.
SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 2287-34 for stable for more than five (5) horses (Riding Academy).
PREMISES AFFECTED—North side of Walling street, 200 ft. east of Northern boulevard (northwest corner of Walling street and Wanda place); (Block No. 3895, Lot No. 35), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: Irving D. Borst, Jr.
For Owner: Jacob Beller, Irving Coopersmith, Bertha Coopersmith and Henrietta Coopersmith.
For Administration: Benjamin Saltzman, Department of Housing and Buildings and Dr. Oberwager, Health Department.
ACTION OF BOARD—Laid over to November 18, 1938, at 10 A. M., on request of owner. No further adjournment to be granted.

Adjourned, 10:30 A. M.

EDWARD V. BARTON, Chief Clerk.

APPROVED FIRELINE HOSE VALVES

PE A—150 LBS. WATER WORKING PRESSURE
ay be installed on all 4-inch and 6-inch systems and on uppermost stories on 8-inch systems

ame	*Calendar No.*
banks Company	81-20-SA
worth Company	899-27-SA
3. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
ker National Fire Prev. Eng. Co.	304-28-SA
ins Brothers	779-28-SA
D. Allen Mfg. Co.	890-28-SA
Simmons Co.	209-29-SA
nell	651-30-SA
art	14-31-SA

TYPE B—250 LBS. WATER WORKING PRESSURE
May be installed on all standpipe systems

Name	*Calendar No.*
New York Brass Foundry Co. (Stillbech)	53-21-SA
Walworth Company	900-27-SA
W. D. Allen Mfg. Company	1151-27-SA
A. B. C. Fire Prevention Mfg. Co., Inc.	1307-27-SA
Jenkins Brothers	780-28-SA
Croker National Fire Prev. Eng. Co.	970-28-SA
Fairbanks Company	268-29-SA
Pratt & Cady	231-30-SA
Elkhart	15-31-SA

pies of the Official Directory of the City of New : for the year 1938 (The Little Green Book), containthe latest authentic information in relation to City, and Federal Departments, Bureaus, Offices and Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

OIL BURNER RULES

[217-21-SR]

NOTICE—In this publication of these Rules, a new decimal numbering system has been employed, but for convenience, the former designations are also shown in brackets.

RULES COVERING THE INSTALLATION AND USE OF OIL BURNING EQUIPMENT AND THE STORAGE OF OILS USED IN CONNECTION THEREWITH

Adopted by the Board of Standards and Appeals June 15, 1934, Amended July 12, 1935, January 28, 1936, and December 4, 1936.

(Superseding Fuel Oil Rules adopted by the Board of Standards and Appeals, November 6, 1919; amended January 6, 1922; January 18, 1924; October 19, 1926; September 11, 1928; January 11, 1929; March 20, 1931; May 12, 1931; November 24, 1931; May 10, 1932; June 24, 1932, and November 4, 1932).

Authority: Section 718 A of the Charter of the City of New York to carry into effect the provisions of Chapter X, Code of Ordinances.

Rule 1. Scope.

[a] 1.1 No person shall install oil-burning, or oil-storage equipment for use within the City of New York except as provided in these rules.

[b] 1.2 These rules shall not apply to gas companies storing or using oil in the manufacture of illuminating gas for public use.

Rule 2. Definitions.

2.1 For the purpose of these rules the following terms shall be interpreted in accordance with these definitions:

2.2 APPROVED: Shall mean devices hereafter approved by the Board of Standards and Appeals and also, when required by the Board of Standards and Appeals, approved, listed as standard, and/or labeled by any nationally recognized standard testing laboratory not operated for commercial profit, provided all such devices are installed in accordance with these rules. Such approval is subject to suspension or revocation for non-compliance with these rules. All devices approved by the Board of Standards and Appeals prior to the adoption of these rules shall be accepted.

2.3 AUTOMATIC PUMP: Shall mean an automatic transfer pump operating independent of the burner to provide a continuous supply of oil.

2.4 BURNER: A device designed for the purpose of burning oil.

2.5 COMMERCIAL INSTALLATIONS—Oil burner installations in buildings, other than dwellings when used for heating and generation of power for use on premises.

2.6 CONTROLS—Such electrical or mechanical devices as are installed for the purpose of providing safe and continuous operation.

2.7 DISCHARGE LINE: That portion of the line between the discharge outlet of the pump and the burner oil inlet connection.

2.8 DOMESTIC INSTALLATIONS—Oil burner installations installed in dwellings as defined in these rules.

2.9 DWELLINGS: Buildings used exclusively for dwelling purposes and occupied by one or two families, including convents, rectories and monasteries.

2.10 ELECTRICALLY GROUNDED: For protection against lightning shall mean storage tanks set directly in or on the ground and/or with underground piping connections. Where storage tanks without underground piping connections are built on bases above the surface of the earth, such storage tanks shall be grounded at two (2) points 180° (degrees) apart as follows:

2.10.1 The conductor from tank to ground connection shall be of copper not smaller than No. 6 (.162") A.W.G. wire, or pipe not less than one-half inch (½") in diameter

2.10.2 One end of conductor shall be permanently and electrically bonded to tank. The other end shall be bonded to a ground connection consisting of a water pipe or a rod pipe or plate having a surface area of not less than one hundred and ninety (190) square inches, buried in moist earth not less than two feet (2') below the surface of the earth.

2.11 FILL PIPE: That portion of the line between the fill pipe terminal and the fill pipe connection in the storage tank.

2.12 FIRE RETARDING MATERIALS:

2.12.1 One-half (½) inch plaster boards, or asbestos boards, or three-eighths (⅜) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers, or

2.12.2 Two thicknesses of one-quarter (¼) inch asbestos boards laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers, or

2.12.3 Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) inch thick.

2.12.4 Note—All fire retarding material to be applied as required in rules for fire retarding material of the Board of Standards and Appeals.

2.13 GROUND: An electrical conductor having capacity to absorb current.

2.14 INDUSTRIAL INSTALLATIONS: Oil burner installations for industrial purposes.

2.15 OIL: Any liquid mixture, substance or compound derived from petroleum, including kerosene and fuel oil as defined in the Code of Ordinances, Chapter X, Article 1, Section 1.

2.16 OIL BURNING EQUIPMENT: Any device including burners, oil-burning heaters, internal combustion engines used for heating, power or other purposes designed for and/or using oil as defined in these rules.

2.17 OIL LEVEL INDICATING DEVICE: A means by which the level of the oil in a storage tank may be indicated.

2.18 OVERFLOW PIPE: A pipe which conveys, by gravity, the oil from the maximum level of an auxiliary tank to the storage tank or from the pump to the storage tank.

2.19 PERMANENT DEFORMATION: Wherever phrase, "without permanent deformation," is used in these rules it shall mean that the tanks or containers shall, after release of test pressure, resume their original size and shape.

2.20 PERMIT: Shall mean permit for storage of oil.

2.21 PORTLAND CEMENT CONCRETE: Shall mean a mixture of one (1) part cement and not more than two and one-half (2½) parts sand and five (5) parts of coarse aggregate and complying in all other respects with the requirements of the Code of Ordinances, Chapter V, Article 2, Section 28.

2.22 PREHEATER: A device designed for heating oil for the purpose of decreasing the viscosity.

2.23 RELIEF VALVE: A valve held shut by a spring or other means of automatically relieving pressure in excess of its setting.

2.24 RELIEF LINE: That portion of the line between the bypass connection of the relief valve and the supply line or storage tank.

2.25 REMOTE CONTROL: A hand, electric, or mechanically-operated device to shut off the oil supply. A thermostat is not acceptable as a remote control.

2.26 SCAVENGING LINE: A line installed to permit the removal of water or foreign matter from a storage tank.

2.27 SHOP FABRICATED: Shall mean completely built in the shop of the tank manufacturer.

2.28 SHUT-OFF VALVE: A device that can be actuated to prevent the flow of liquid in a line of pipe.

2.29 STORAGE CONTAINER: Any container for oil connected to a burner or oil-burning heater and having a capacity of ten (10) gallons or less.

2.30 STORAGE TANK: Any container for oil having a capacity of two hundred and seventy-five (275) gallons or more, having a fill line and vent line connected thereto.

2.31 STORAGE TANK, AUXILIARY: Any container for oil having a capacity of not over 60 gallons and used as an intermediary tank for gravity feed and equipped with an automatic or manually operated pump.

2.32 SUPPLY LINE: That portion of the line between the storage tank and the pump oil inlet connection. Where a pump is not used, it shall be that portion of the line between storage tank and burner and burner oil inlet connection.

2.33 TEST WELL: An opening in the top of the storage tank or a straight pipe connected to such opening through which a gauge stick may be inserted into the storage tank.

2.34 TRANSFER PUMP: An oil pump that is not an integral part of the burner and which is installed between storage tank and burner.

2.35 VENT PIPE: That portion of the line between vent pipe terminal and vent pipe connection in the storage tank.

Rule 3. Oil Permitted.

[a] 3.1 Oil permitted under these rules shall be any liquid mixture, substance, or compound derived from petroleum, shale oil, coal tar, and the liquid products thereof, and shall have a flash point not lower than 100 degrees Fahrenheit when tested in a Pensky-Martens closed cup tester (American Society for Testing Materials Method D93-22) and marketed under the following commercial grades:

Range Oil	SP.	Gr.	(A. P. I.)	40–44°
No. 1 Fuel Oil	"	"	"	36–40°
No. 2 " "	"	"	"	32–36°
No. 3 " "	"	"	"	28–32°
No. 4 " "	"	"	"	24° +
No. 5 " "	"	"	"	18° +
No. 6 " "	"	"	"	10° +

[b] 3.2 The use of crankcase refuse oil as fuel oil is strictly prohibited.

Rule 4. Burners.

[a] 4.1 Burners, including oil-burning heaters, shall be as approved, provided with suitable safeguards to prevent abnormal discharge of oil.

[b] 4.2 Approval of burners or oil-burning heaters designed for installation with storage of not more than six (6) gallons shall include approval of storage containers and limitations of installation. If more than six (6) gallons' storage is desired for such burners or oil-burning heaters, a storage tank shall be installed as provided for in these rules. Portable containers of not more than six (6) gallons' capacity may be filled from such storage tanks by means of an approved hand pump located above the top of the tank.

[c] 4.3 The requirements of these rules shall not apply to the use and installation of portable burners not requiring a connection to a flue where such burners are of the type commonly used for household purposes including oil stoves, oil heaters and oil lamps equipped with a woven wick, nor do the requirements of these rules apply to such portable apparatus such as blow torches, soldering pots, tar heaters, snow melters, etc.

Rule 5. Material and Construction of Tanks.

5.1 Cylindrical Tanks (except vertical tanks located outside of buildings above ground).

[a] 5.1.1 All tanks for the storage of fuel oil shall be built of steel plates made by the open hearth process and known to the trade as "tank steel." Such plates shall be free from physical imperfections, such as laminations, cracks, mill scale, etc. All steel must be new in good condition and free from rust. The thickness of steel required and the size and spacing of rivets shall be as stated in the table given below.

[b] 5.1.2 All tanks must be welded or riveted and caulked, or riveted and welded. Flanges or other pipe connections may be welded. All caulking shall be done with round nose tools and without injury to the plates. Filler of any kind between plates is prohibited.

[c] 5.1.3 Thickness of cylindrical tanks, except tanks of 275 gallons capacity or less:

Tanks 36 in. in diameter and less—¼ in. shell, ¼ in. heads.

Tanks 37 to 72 in. in diameter—¼ in. shell, 5/16 in. heads.

Tanks 73 to 120 in. in diameter—5/16 in. shell, ⅜ in. heads.

Tanks over 120 in. in diameter to be of ⅜ in. steel and to be stiffened by angle rings or equivalent members so as to retain their cylindrical form.

[d] 5.1.4 All cylindrical, oval or abround storage tanks shall have dished heads with a curvature the radius of which is not greater than the diameter of the tank. Dished heads shall be formed with an adequate cylindrical extension rim to provide welding or riveting surface. Should flat heads be used they must be braced in the same manner as described for the bracing of flat sides of rectangular tanks.

[e] 5.1.5 Diameter and spacing of rivets:

Riveting in single lap seams shall not exceed a pitch as follows:

In shell ¼ in. thick, ⅝ in. in diameter rivets 2¼ in. pitch.

In shell 5/16 in. thick, ⅝ in. in diameter rivets 2⅜ in. pitch.

In shell ⅜ in. thick, ¾ in. in diameter rivets 2½ in. pitch.

5.2 Rectangular Tanks.

[a] 5.2.1 All rectangular tanks shall be built of steel plates of the quality required for cylindrical tanks, and of a thickness of not less than 5/16 of an inch.

[b] 5.2.2 Corners may be made up by bending the plates or by use of angles.

[c] 5.2.3 Rivets in seams shall be ⅝ of an inch in diameter and spaced not more than 2¼ inches center to center.

[d] 5.2.4 All flat surfaces of rectangular tanks are to be braced. Bracing shall be done either by using structural steel members which will act as girders and which will safely carry the load with a factor of safety of five (5), or by using bars from side to side, end to end and top to bottom of the tanks as the case may be.

[e] 5.2.5 When structural steel members are used such as angle, channels or beams, etc., the distance from center to center of the rivet lines on these members must not be in excess of twenty-four inches, and the rivet spacing must be such that it will develop the fuli strength of the members. In no case shall the rivets be in excess of six (6) inches center to center on these members.

[f] 5.2.6 When structural steel reinforcing members are tied together with braces in order to reduce the effective length, the braces shall not be stressed higher than nine thousand (9,000) pounds per square inch taken in the minimum net section.

[g] 5.2.7 If structural steel members are omitted and the sides of the tank are braced by means of rods or bars, these members should not be spaced farther apart than twenty-four (24) inches center to center in all directions. The unit stress permitted in these members shall not be in excess of nine thousand (9,000) pounds per square inch on the minimum net section.

[h] 5.2.8 The connection between these members and the sides of the tank must in all cases be such that it will develop the full net sections of the bars so that the bar will break before the connection will let go.

5.3 All Tanks Except Vertical Above-Ground Storage Tanks.

[a] 5.3.1 All storage tanks for oil of two hundred and seventy-five (275) gallons' capacity or less shall have a minimum thickness of shell and head plates of U. S. Standard 10 gauge (.134"). Auxiliary storage tanks of 60 gallons or less shall be similarly constructed but need not be of a gauge thicker than U. S. Standard No. 14.

[b] 5.3.2 At time of installation all storage tanks shall bear a permanently fixed plate, spot-welded or equivalent, bearing the name of tank manufacturer, the gauge of material and capacity of tank. All shop fabricated storage tanks shall be installed without structural alteration.

[c] 5.3.3 All openings shall be through the top of the storage tank except that 275-gallon storage tanks may be provided with a three-quarter inch (¼") opening for gravity discharge and a one-inch (1") opening in the bottom for cleaning and protection against corrosion.

[d] 5.3.4 All buried storage tanks shall have a thorough coating on the outside of hot tar, asphaltum, or other equivalent rust-resisting material. All such tanks shall be electrically grounded.

[e] 5.3.5 Manholes; where used for oils having a viscosity less than 500 sec. Saybolt Universal at 100° F. shall have manhole covers bolted and air tight; where used for oils having a viscosity greater than 500 sec. Saybolt Universal at 100° F. (No. 5 or No. 6 Commercial Standard grades) shall have manhole covers bolted or otherwise secured to the tanks and kept hydrostatically tight at all times.

5.4 Vertical Storage Tanks Over 1,000 Gallons Capacity Located Outside of Building Above Ground.

[a] 5.4.1 Vertical tanks located outside of building above ground shall be built of steel plates of the quality required for cylindrical tanks.

[b] 5.4.2 The minimum thickness of shell or bottom plates shall be ¼ inch and the minimum thickness of roof plates ⅛ inch.

The thickness of shell plates shall be figured in accordance with the following formula:

$$t \text{ equals } \frac{P \times r \times F}{T \times E}$$

P equals head pressure at bottom of ring under consideration.

R equals radius of shell in inches.

F equals factor of safety (taken as 5).

T equals tensile strength of plate in pounds per square inch (55,000 pounds per square inch).

E equals efficiency of vertical joint in ring under consideration (calculations to be based on formulas as given in Bulletin No. 14 of the New York State Industrial Commission).

[c] 5.4.3 Roof plates shall have single riveted water-tight seams and the roof shall be built to shed water. Bottom plates shall have single lap riveted seams. Shell plate seams shall be designed with proper efficiency to meet requirements of above formular for shell plates.

[d] 5.4.4 In all cases, steel tanks for the storage of fuel oil must be built metal to metal. No filler of any kind will be permitted.

5.5 Storage Containers.

[a] 5.5.1 Storage containers for oil of six (6) gallons capacity or less used in connection with burners or oil-burning heaters shall be designed to withstand a hydrostatic pressure test of five (5) pounds per square inch without permanent deformation, rupture or leakage and shall be approved as provided in Rule 4.2. Glass storage containers shall not exceed three gallons capacity, protected with a metal jacket provided with hand grips and designed to be rigidly fastened to stand or wall and shall be approved as provided in Rule 4.2.

Rule 6. Location of Tanks.

6.1 Inside of Buildings.

[a] 6.1.1 Storage tanks having a capacity of two hundred and seventy-five (275) gallons and auxiliary tanks may be installed above ground in or on the lowest story of a building, provided such tanks shall be mounted on substantial incombustible supports, with tank permanently attached thereto, and located not less than seven feet (7′), measured horizontally from any furnace or source of exposed flame unless tank is protected as provided for in Rule 6.1.2. Such storage tanks inside buildings shall be not less than two hundred and seventy-five (275) gallons' capacity and not more than one such tank shall be connected to one burner. Not more than two (2) two-hundred-and-seventy-five (275) gallons storage tanks shall be installed in a building above ground without protection as provided for in Rule 6.1.2.

[b] 6.1.2 Storage tanks having a capacity of more than two hundred and seventy-five (275) gallons, when installed inside of buildings, shall be located in or on the lowest floor level and all portions of such tanks above the floor shall be protected by a continuous jacket of not less than four inches (4″) of Portland cement concrete reinforced with not less than No. 20 steel wire gauge wire cloth 2″ x 2″ mesh, and extending at least four inches (4″) beyond the horizontal outline of tank in all directions, with weep holes along the bottom one inch in diameter not more than 3 ft. apart.
Each storage tank may be placed in an enclosure having masonry walls not less than eight inches (8″) in thickness and of dimension not less than fifteen inches (15″) greater on all sides than the outside dimensions of the storage tank. The walls of the enclosure shall be carried up to a height not less than two feet (2′) above the top of the tank. Fireproof access door or doors shall be installed in the enclosure for every twenty-five feet (25′) along the longest interior wall of such enclosure, and an additional access door shall be installed in every additional ten feet (10′) along such wall above the point where the enclosure has a capacity equal to the tank. The ceiling above the tank enclosure shall be either fireproof or fire-retarded.

[c] 6.1.3 The capacity of individual storage tanks located inside of buildings shall not exceed twenty thousand (20,000) gallons.

[d] 6.1.4 All storage containers used in connection with burners or oil-burning heaters shall be installed in a substantial and workmanlike manner with rigid metal fasteners to wall or floor and protected against mechanical injury.

6.2 Outside of Buildings, Below Ground.

[a] 6.2.1 Storage tanks located outside of buildings, below ground, shall be buried with the top of the tank not less than two feet (2′) below the surface of the ground. Tanks shall be placed on firm soil and shall be surrounded by clean sand or well tamped earth, free from ashes or other corrosive substance, and free from stones larger than will pass through a one-inch (1″) mesh. When necessary to prevent floating, tanks shall be securely anchored.

[b] 6.2.2 Along the line of subways no tank shall be placed within twenty (20′) feet of any wall, separating a building from the subway, and, if practicable, tanks shall be placed in a lower position than the roadbed of the subway, except as may be modified in specific instances by the Board of Standards and Appeals.

[c] 6.2.3 No tank shall be buried so as to be nearer than 3 feet to any foundation wall.

[d] 6.2.4 All buried storage tanks larger than two hundred and seventy-five gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

6.3 Outside of Buildings, Above Ground.

[a] 6.3.1 Storage tanks located outside of buildings above ground shall be not less than one and one-quarter (1¼) tank diameters and in no case less than ten feet (10′) from the line of adjoining property, the nearest building or adjacent tank. Such tanks shall be electrically grounded. The maximum capacity of individual tanks located outside of buildings above ground shall be fixed by the following schedule:

If distant 25 feet from line of adjoining property which may be built upon	16,000 gallons
If distant 30 feet.....	24,000 "
If distant 40 feet.....	36,000 "
If distant 50 feet.....	48,000 "
If distant 60 feet.....	60,000 "
If distant 75 feet.....	96,000 "
If distant 85 feet, or more	100,000 "

[b] 6.3.2 Each such storage tank shall be protected by an embankment or a dyke. Such protection shall have a capacity of not less than one and one-half (1½) times the capacity of the tank so surrounded and shall be at least four feet (4′) high but in no case higher than one-fourth (¼) the height of the tank when the height of the tank exceeds sixteen feet (16′). Embankments or dykes shall be made of earthwork with clay core; or of masonry, or of impervious reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth, free from stones, vegetable matter, etc., and shall have a flat section at the top of not less than three feet (3′) and a slope of at

least one and one-half (1½) to two (2) on all sides. Concrete or masonry dykes shall be so designed as to safely carry the entire volume of the oil in the tank so surrounded. Embankments or dykes shall be continuous and unpierced. See Chapter 10, Section 111, Code of Ordinances, for required fire extinguishing system.

[c] 6.3.3 All above ground storage tanks larger than two hundred and seventy-five (275) gallons, prior to or at the time of installation, shall be thoroughly cleaned and coated on the outside with two (2) coats of red lead and coated at the site with hot tar, asphalt or other equivalent rust resisting material. All tanks shall be electrically grounded.

Rule 7. Piping.

7.1 Installation of Piping.

[a] 7.1.1 Piping shall be run in a substantial and workmanlike manner. Exposed piping shall be protected against mechanical injury and shall be securely supported with rigid metal fasteners or hangers. All pipes connected to buried tanks except test well piping shall be provided with double swing joints at tank.

[b] 7.1.2 Only new standard full-weight iron, steel or brass pipe, or new extra-heavy copper brass or aluminum alloy tubing, properly marked and duly approved, may be used. Drawn metal tubing when used for conveying oil, shall be adequately protected. Such tubing shall be used only in the same room in which the burner is installed. Drawn tubing when used in domestic installations shall be not less than three-eighths inch (⅜") inside diameter. Soldered connections are prohibited. Tubing shall be submitted for approval.

[c] 7.1.3 Overflow pipes where installed shall not be smaller in size than the supply pipe.

7.2 Relief Valves.

[a] 7.2.1 Where a shut-off valve is installed in the discharge line from an oil pump a relief valve shall be installed in the discharge line between the pump and the first shut-off valve.

[b] 7.2.2 Oil preheaters shall be provided with a relief valve to prevent excessive oil pressure.

[c] 7.2.3 Relief valves shall be set to discharge at not more than one and one-half (1½) times the maximum working pressure of the system. The discharge from relief valves shall be returned to storage tank or to the supply line. There shall be no shut-off valve in the line of relief.

7.3 Vent Pipe.

[a] 7.3.1 An open vent of iron or steel, without trap, and draining to the tank, shall be provided for each storage tank. The lower end of the vent pipe shall not extend through the top of the storage tank more than one inch (1"). Cross connection between vent pipe and fill pipe is prohibited.

[b] 7.3.2 Where a battery of storage tanks, designed to hold the same grade of oil, is installed, vent pipes may be run into a main header.

[c] 7.3.3 Vents shall be not less than one and one-quarter inches (1¼") in diameter for storage tanks up to 1,100 gallons' capacity and not less than two inches (2") in diameter for storage tanks of 1,100 gallons and more. Vents for auxiliary storage tanks shall not be less than ½ inch in diameter and may be run into the storage tank vent.

[d] 7.3.4 Vent pipes shall be provided with weatherproof hoods and shall terminate outside the building not less than two feet (2') from any building opening and not less than five feet (5') nor more than twelve feet (12') above the fill pipe terminal. If the vent pipe terminal is not visible from the fill pipe terminal location, a one-inch (1") line shall be connected to tank and shall parallel the fill pipe and terminate at the fill pipe terminal with unthreaded end. Such line shall be provided with a check valve set to prevent flow of surface water to storage tank.

7.4 Fill Pipes.

[a] 7.4.1 Fill pipe shall terminate outside the buildings with the fill pipe terminal located at or above grade at least five feet (5') from any building opening or subway grating at or below the level of the fill pipe terminal. No fill pipe shall be less than 2 inches in diameter.

[b] 7.4.2 Each storage tank shall be provided with a separate fill pipe except where a battery of tanks is installed, containing the same grade of oil, a common fill and header pipe may be installed provided the area of each branch fill pipe and the header pipe is equal to the area of the fill pipe. Each branch fill pipe shall be provided with a shut-off valve.

[c] 7.4.3 Where the top of the storage tanks is above the fill pipe terminal the fill pipe shall be connected to the top of the tank and be provided with a shut-off valve and a swing check valve which shall be located at the fill pipe terminal.

[d] 7.4.4 All fill pipe terminals shall be of approved type constructed of a suitable material, provided with lugs for imbedding in concrete or in lieu thereof a set screw to fasten terminal to fill pipe. The outer flange of the fill pipe terminal shall be provided with letters reading "Fuel Oil" and the calendar number under which the fill pipe terminal has been approved. The fill pipe terminal shall be separately threaded to receive the seal cap and the fill pipe. The seal cap shall be suitably threaded and slotted for a special opening wrench. An oilproof gasket inserted in a groove in the fill pipe terminal shall be provided so as to render the fill pipe terminal leakproof. A strainer is not required but if used must be of not less than ⅛ inch mesh. Where there is a storage system of volatile inflammable oil and a storage system for fuel oil to be used in the same premises, the terminal of fuel oil fill pipe shall be provided with a left-handed thread, and the fill pipe fitting shall be of a different size than that required for the fill pipes to gasoline tanks.

7.5 Heating Coils in Storage Tanks.

7.5.1 All heating to reduce viscosity of oils in storage tanks shall be only by means of hot water or low pressure (ten (10) pounds per square inch maximum) steam coils.

7.6 Scavenging Line.

7.6.1 When a scavenging line is installed it shall terminate outside of the building and shall be capped oil tight when not in use.

Rule 8. Valves and Control of Oil Flow.

a] 8.1 Each supply line from storage tanks of two hundred and seventy-five (275) gallons' capacity and from auxiliary storage tanks shall be provided with a shut-off valve at the tank and at the burner and when connected to burners designed for gravity feed, shall be provided with an approved constant level device.

b] 8.2 Each supply line for storage tanks of more than two hundred and seventy-five (275) gallons' capacity, shall be provided with a shut-off valve at the burner and where the top of the tank is above the oil inlet connection to the burner and/or transfer pump, shall be provided with an approved anti-syphon device located at the highest point in supply line, except that where heavy oil (No. 6 Commercial Standard Grade) having a viscosity of one hundred (100) seconds or more Saybolt Furol at one hundred and twenty-two degrees Fahrenheit (122° F.) is used, the anti-syphon device shall not be required.

] 8.3 Except as may be modified in specific instances by the Board of Standards and Appeals, oil from storage tanks of two hundred and seventy-five (275) gallons' capacity or more may be delivered to burners installed above the lowest floor of a business building only under the following provisions:

8.3.1 Plans for such installations shall be submitted for approval to the administrative official having jurisdiction before such installation is made.

8.3.2 Such burners shall not be installed in any story of any building the floor of which is more than fifty feet (50') above the street level. Only one oil delivery line shall be installed for each floor.

8.3.3 Oil delivery lines to burners located above the lowest floor of a building shall not be larger than two inches (2") iron pipe size.

8.3.4 The pressure in oil lines to burners located above the lowest floor of a building shall not be more than is necessary to deliver oil to the burners and such pressure shall not in any case exceed thirty (30) pounds per square inch. With each automatic burner there shall be installed and maintained in good working order a set of suitable safety controls of the electric or mechanical type. The proper control for each burner is to be listed in the resolution under which the burner is approved. The controls are to provide the following functions:

Temperature control
Ignition "
Stack or
Combustion "
Pressure "
Gravity "

8.4 A remote control shall be provided whereby the flow of oil to any burner can be stopped, and such remote control shall be located outside the entrance to the room in which the burner is located and as close to such entrance as practical, except when outside location is impracticable such control may be located immediately inside the room in which the burner is located if such location is accessible at all times. All such controls shall be legibly labeled "Remote Control for Oil Burner." On auxiliary storage tanks used with manually operated burners such remote control may be installed on feed lines between tank and burner.

[e] 8.5 Except as provided by Rule 4.2 of these rules for approved combination burner and storage container devices, pressure in storage tank or container for the purpose of discharging oil is prohibited.

[f] 8.6 In systems where either steam or air is used for atomizing the oil, the oil and the atomizing supply shall be interlocked, so that in case of the interruption of the atomizing supply, the supply of oil will immediately be cut off. Except that this requirement shall not apply to air and oil supply units directly connected to a common driver.

Rule 9. Oil Level Indicating Devices and Test Wells.

[a] 9.1 All tanks located inside of buildings shall be provided with an oil level in indicating device. Test wells shall not be permitted in tanks located inside of buildings. Unused tank openings shall be permanently sealed to prevent removal of plugs or cover.

[b] 9.2 Oil level indicating devices shall be constructed of substantial materials so designed that there can be no leakage of oil or oil vapor.

[c] 9.3 Test well shall be capped oil tight and kept closed when not in use.

Rule 10. Permits, Plans, Inspections and Tests of Storage Tanks and Piping.

10.1 Permits.

[a] 10.1.1 No oil installation of more than ten (10) gallons' capacity shall be operated until after a permit has been issued by the Fire Chief and Commissioner.

[b] 10.1.2 Applications for permit shall be made by the installer on forms furnished by the Fire Chief and Commissioner and shall provide for the location of the building in which the installation is to be made, name and address of owner and/or occupant, name and address of installer, make and approval number of burners, pumps and other devices, capacity number and location of storage tanks, together with approval of such proposed installation by the Commissioner of Buildings when required under Rule 10.2.

[c] 10.1.3 No permit shall be issued by the Fire Chief and Commissioner until the installation has been inspected by his representative.

10.2 Plans to be Filed Where Structural Considerations Are Involved.

10.2.1 Except for installations in dwellings as defined in these rules, the installer shall file with the Commissioner of Buildings plans showing the size and location of all storage tanks having a capacity greater than 275 gallons where such tanks are to be installed either inside of buildings in or below the lowest floor level or out-

side of buildings below ground. Plans, however, shall be filed where 275 gallon tanks are to be buried and for all multiple dwellings and for all places of public assembly. All plans, as in this section required, shall be certified to by the Commissioner of Buildings when approved by him as in compliance with all structural requirements, to the Fire Chief and Commissioner before any work is started and before the permit provided for in Rule 10.1 is issued.

10.3 Inspection and Tests of Installations of Storage Tanks and Piping.

[a] 10.3.1 Storage tanks not exceeding two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no leakage when tank and all piping for oil is completely filled with oil when subjected to a test of 10 pounds per square inch for a period of ten (10) minutes.

[b] 10.3.2 Storage tanks of more than two hundred and seventy-five (275) gallons' capacity and all piping for oil connected thereto shall show no change in shape, rupture or leakage when subjected to a hydrostatic test with water or oil as follows:

10.3.2.1 Oval, obround, rectangular and specially shaped storage tanks and and piping connected thereto, twenty-five (25) pounds per square inch.

10.3.2.2 Cylindrical storage tanks and piping connected thereto, fifty (50) pounds per square inch.

Pressure shall be applied for a period of thirty minutes. When oil is used there shall be no fire or flame in the room or rooms in which the test is being conducted. All tests shall be conducted in the presence of a representative of the Fire Chief and Commissioner. The contractor shall furnish all necessary equipment for conducting tests, except gauges which shall be furnished by the administrative official. Such test may be made with oil in freezing weather for tanks located outside of building.

[c] 10.3.3 Defective tanks, if repaired by welding, shall have all oil removed and shall be purged of all explosive gases or vapors.

[d] 10.3.4 The anti-syphon devices, where used as provided for in these rules, shall be approved devices.

10.4 Fee for Permit and Test of Storage Tanks and Piping.

10.4.1 When application for permit is made, as provided for in Rule 10.1, a fee covering the permit, inspection and test of storage tank and piping shall be paid in accordance with the schedule given in the Code of Ordinances.

Rule 11. Inspection of Installations With Not More Than Six (6) Gallons' Storage Capacity.

11.1 All installations of burners with not more than six (6) gallons' storage capacity except where such installations are made in dwellings shall be reported by installer to the Fire Chief and Commissioner giving location of building in which installation is made, name and address of owner and/or occupant, name and address of installer and the make and approval number of burner. Such reported installations shall be inspected as required by Code of Ordinances.

Rule 12. Ventilation.

[a] 12.1 No burner shall be installed in any boiler, heater, range or stove unless such boiler, heater, range or stove be connected with a legal chimney, complying with Section 392, Article 19, Chapter V, of the Code of Ordinances.

[b] 12.2 Adequate ventilation, at least equivalent to area of the smoke pipe at the point where it enters the flue, shall be provided in all rooms in which burners are installed.

[c] 12.3 Dampers shall be so constructed that they cannot completely cut off the passage of flue gases at any time.

Rule 13. Automatic Pumps.

13.1 Automatic pumps, when not an integral part of the burner shall be of approved type, provided with automatic means for preventing continuous discharge of oil in case of pipe breakage.

Rule 14. Fire Protection.

[a] 14.1 The clear distance between smoke pipe connections, of any boilers, furnaces or other heating apparatus to flues, and combustible material shall not be less than eighteen (18) inches, except that this clearance may be reduced to nine (9) inches where a baffle consisting of not less than No. 24 gauge sheet metal backed by ¼ inch thick asbestos is placed two (2) inches above and extending along the entire length of the smoke pipe connections and twice the width thereof and such baffle is securely fastened from the ceiling with substantial hangers. In lieu of such baffle the combustible material may be covered with fire-retarding material as defined in these rules.

[b] 14.2 The clear distance between any non-insulated heat-producing parts of boilers, furnaces or other heating apparatus and combustible material shall not be less than twenty-four (24") inches. Where such parts are insulated by two (2") inches of asbestos, or equivalent, the clear distance shall be not less than twelve (12") inches, or, in lieu of such insulation the combustible material shall be covered with fire-retarding material as defined in these rules extending 8 ft. in front and 4 ft. side and rear of the apparatus.

[c] 14.3 No combustible material shall be stored or maintained within five feet (5') of heating apparatus except where same is protected by fire retarding material.

[d] 14.4 Burners and all accessories, including tanks and piping, shall be maintained oil tight and kept clean at all times.

[e] 14.5 The floor beneath boiler or furnace and within five (5) feet in all directions shall be of fireproof construction.

[f] 14.6 Oil burning devices designed for installation with storage of not more than six (6) gallons shall be firmly anchored to the floor, set level, and the floor beneath the stoves or any such heating device protected by a shield of ½" asbestos or equiva

lent extending at least twelve (12") inches beyond the outline dimension of such device where required within the specific approval of each burner.

g] 14.7 Near each boiler or furnace of a fuel oil-burning unit there shall be kept ready for use fire extinguishing equipment of not less than two quart capacity approved as suitable for oil fires or not less than two pails of sand, the pails to have rounded bottom.

ule 15. Instruction Cards and Certificate of Fitness.

] 15.1 Cards, giving complete instructions for the care and operation of the system shall be permanently fixed near the apparatus in readable condition. Where burners or oil-burning heaters designed for use with storage of not more than six (6) gallons' capacity are installed, there shall also be posted a copy of the specifications under which it was approved by the Board of Standards and Appeals in addition to the instruction card herein provided for.

] 15.2 All heating systems in which the oil is preheated or systems not fully automatic shall, when operating, be under the direct supervision of a person holding a certificate of fitness issued by the Fire Chief and Commissioner, except, that a person holding a certificate of fitness as a licensed engineer or as a licensed fireman under the provisions of Section 409 of the Charter of the City of New York, shall not be required to obtain such certificate.

Rule 16. Modification.

16.1 When, for any reason, it may be impracticable to comply strictly with the foregoing rules, the administrative official having jurisdiction shall have power to accept substitute methods provided the spirit and substance of these rules shall be complied with.

Rule 17. Existing Installations.

17.1 Oil burner systems heretofore installed and duly approved as complying with all laws and rules then applicable thereto shall be deemed acceptable, provided there have been no subsequent alterations to the apparatus, except as to Rule 15.2.

APPROVED APPLIANCES

APPROVED FUEL OIL PUMPS

Name of Pump	*Calendar No.*
erican Marsh Duplex	638-25-SA
erican Marsh Simplex	639-25-SA
opulse Electric Fuel Oil Pump	215-31-SA
opulse Electric Oil Pump Outfit, Model No. 1000	9-32-SA
ard Duplex Electric Driven Pump Set	1413-22-SA
ch Russ Co. Rotary	1134-22-SA
kmer Rotary	935-24-SA
te & Knowles Horizontal Simplex Piston Pattern Pump	372-21-SA
ury Rotary	908-21-SA
k Electric Oil Pump	603-25-SA
dson	590-21-SA
n Bros. Durable Duplex	840-22-SA
aval IMO Oil Pump	628-32-SA
ing Double Oscillating Force Pump	458-27-SA
ing Fuel Oil Pump	298-31-SA
rprise Oil Pump	11-28-SA
er Rotary	507-22-SA
ral Electric Oil Pump	475-32-SA
ds Hand Rotary	1133-25-SA
ds Rotary Oil Pump	437-31-SA
ds Triplex Plunger	257-22-SA
inge Fuel Oil Pump	813-25-SA
ey Rotating Plunger Pump	503-24-SA
ting Gear Pump	1264-25-SA
sl Fuel Oil Pump	60-28-SA
an Rotary	95-24-SA
n Fuel Oil Pump	1050-23-SA
wan Horizontal Duplex Fuel Oil Pump	936-23-SA
. Rotary	52-27-SA
Milwaukee Piston Rotating Port Pump	763-25-SA
Monroe Oil Pump	658-26-SA
National Transit Rotary Pump for Gasoline and Fuel Oil	175-35-SA
Northern Rotary	1396-24-SA
Pascoe Pump Set	1029-26-SA
Petro-Nokol Industrial Oil Pump	570-32-SA
Quiet May Gerotor Pump	267-32-SA
Quimby Screw Pump	1193-21-SA
Range-O-Matic Oil Pump, Model 50 and Suction Model	102-35-SA
Ray Rotary	588-25-SA
Rotary Pressure Pump	1060-25-SA
Rotary Vacuum Pump	513-25-SA
Samson Magnetic Fuel Oil Pump	163-34-SA
S. B. U. Pumps, Models A, B, C and D	410-32-SA
Sundstrand Fuel Unit (Pump), Models 7-OB and 77-OB	199-36-SA
Tate-Jones	492-21-SA
Teesdale Automatic Booster Fuel Oil Pump	1279-25-SA
Teesdale Oil Pump, Types S, 2S and 4S	281-38-SA
Tuthill Model B Fuel Oil Pump	60-28-SA
Tuthill Fuel Oil Pump, Models L, LD and 30-LE Fuelstat	568-30-SA
Union Steam Pump for Fuel Oil	705-30-SA
Viking	438-21-SA
Warren Oil Pump	1169-23-SA
Wayne Oil Pump & Fan Set	1155-25-SA
Webster Fuel Oil Pump, Types A, Q and T	23-34-SA
Worthington Duplex Double-Acting Steam Pump	184-22-SA
Worthington Show Model Duplex	194-22-SA

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths (7/8) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half (2½) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth (¼) of one (1) per cent of steel mesh;

(b) Two and one-half (2½) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half (½) inch plaster boards, or three-eighths (3/8) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter (¼) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches o centers;

(c) Metal lath weighing not less than three pound per square yard, attached to furring strips and plastere with Portland cement mortar at least three-quarter (¾) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceil ings in non-fireproof buildings used as garages, motor vehi cle repair shops or oil selling stations shall be attached t wood floor beams and girders in such manner as to main tain an air space between the wood beams and all woo beams shall be seasoned before applying the protective coa

Rule 6. Openings in Fire-Retarding Floors. Pipe or conduits which pass through floors shall be fitted wit metal thimbles and made watertight for a height of thre (3) inches above the floor.

Rule 7. Columns. All structural posts and column in non-fireproof buildings required to be fire-retarded sha be protected with fire-retarding materials specified for ceil ing coverings in these rules, or with any of the material accepted in fireproof construction; except that an air spac shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical in jury, the fire-retarding protection on columns shall b jacketed to a height of five (5) feet from the ground wit No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof build ings required to be fire-retarded shall be protected with th fire-retarding materials specified for ceiling coverings i these rules, or with any of the materials acceptable in fire proof construction; except that an air space need not b provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways an vertical shafts in non-fireproof business buildings hereafte converted to be used as garages, motor vehicle repair shop or oil selling stations shall be enclosed in fire-retarding par titions continued through the non-fireproof floor construc tion, and when unfilled wood stud partitions are used, th space between the floor beams shall be fire-stopped wit incombustible materials. All openings in such partition shall be protected with accepted metal-covered fire door or windows. Wherever necessary for protection again mechanical injury, the partition shall be jacketed to a heigh of five (5) feet on the garage side with No. 4 U. S. gaug metal. Any one of the following forms of partitions sha be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not mo than sixteen (16) inches on centers, covered both side with metal lath weighing not less than three pounds pe square yard, attached to furring strips and plastere with Portland cement mortar at least three-quarte (¾) of an inch thick;

(b) Two by four inch wood studs placed not mo than sixteen (16) inches on centers, covered both side with seven-eighths (7/8) inch wood sheathing, one-hal (½) inch plaster boards with pointed joints and No. 2 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not mo than sixteen (16) inches on centers, covered both side with seven-eighths (7/8) inch wood sheathing, tw thicknesses of one-quarter (¼) inch asbestos board laid with tight staggered joints and jacketed with N 16 U. S. gauge metal on the garage side to a height o five (5) feet;

(d) Two by four inch wood studs spaced not mo than sixteen (16) inches on centers, filled in solidl between the studs with four inches of approved fir proof materials and covered on both sides with No. 2 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitio covered on the garage side with No. 26 U. S. gaug sheet metal with one inch lapped seams.

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

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OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Court Decision.

Rules Directory.

Date Hearing Calendar.

Minutes of Regular Meeting, November 9, 1938, at 10 A. M., Affecting Calendar Numbers 362-38-BZ, 459-37-BZ, 595-37-BZ, 23-38-BZ, 44-38-BZ, 66-38-BZ, 552-38-BZ and 583-38-BZ.

Minutes of Regular Meeting, November 9, 1938, at 2 P. M., Affecting Calendar Numbers 40-19-BZ, 772-28-BZ, 65-34-BZ, 731-38-BZ, 1587-21-BZ, 42-37-BZ, 141-38-BZ, 748-38-A, 832-38-A, 983-38-A, 766-38-A, 883-38-A, 900-38-A-WF, 907-38-A, 916-38-A, 952-38-A, 961-38-A, 990-38-A, 991-38-A, 346-38-A, 605-38-SA, 743-38-SM, 744-38-SM and 880-38-SM.

Rules for Refrigerating Systems.

Rules for Liquefiers used to convert solid carbon dioxide into a liquid and/or a gas.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to November 8, 1938

Cal. No. *Department* *Premises Affected*

908-38-A.....H.B.B.....204 Columbia Heights, west side, 188 ft. 1 in. north of Pierrepont street (Block 233, Lot 10) Borough of Brooklyn, Applic. 9771-38.

969-38-SM.....Curecrete Concrete Curing Method, manufactured by Thompson Materials Corporation, Material.

970-38-SM.....Hunt Process Concrete Curing Method, manufactured by Thompson Materials Corporation, Material.

971-38-A.....F.D.....356 Broadway, east side, 86 ft. north of Leonard street (Block 171, Lot 4), Borough of Manhattan, 2281-L.F. and Decision.

972-38-A.....F.D.....146 Chambers street, south side, 100 ft. west of West Broadway (Block 137, Lot 33), Borough of Manhattan 1980-L.F. and Decision.

973-38-A.....F.D.....523 Broadway, west side, 50 ft. south of Spring street (Block 484, Lot 11), Borough of Manhattan, 2111-L.F. and Decision.

974-38-A.....F.D.....831 Broadway, west side, 50 ft. south of East 13th street (Block 564, Lot 17), Borough of Manhattan, 1939-L.F. and Decision.

975-38-A.....H.B.Q.....47-28 30th place (Manley street), west side, 203 ft. 6⅞ in. north of 48th (Anable) avenue (Block 283, Lots 1 and 38), Long Island City, Borough of Queens, Alt. 4976-38.

976-38-A.....F.D.....248-252 West 65th street, south side, 150 ft. east of West End avenue (Block 1156, Lot 56), Borough of Manhattan, 2362-L.F. and Decision.

977-38-A.....H.B.B.....237-241 Westminster road (233 dislayed), east side, 300 ft. south of Beverly road (Block 5143, Lot 48), Borough of Brooklyn, Applic. 14612-38.

978-38-SA.....Idrogas (Plumbing Device), Appliance.

979-38-A.....H.B.B.....2065 West Seventh street, east side, 150 ft. north of Avenue U (Block 7099, Lot 54), Borough of Brooklyn, Alt. 14821-38.

980-38-A.....H.B.B.....885 East Seventh street, east side, 135 ft. north of Avenue H (Block 6495, Lot 49), Borough of Brooklyn, Alt. 15262-38.

981-38-A.....H.B.B.....2130-2140 Rockaway parkway, southeast corner of Schenck avenue (Block 8331, Lot 1), Borough of Brooklyn. Decision, re: Permit 9905-38.

982-38-A.....F.D.....453 West 17th street, north side, 100 ft. east of Tenth avenue (Block 715, Lot 5), Borough of Manhattan, 1862-L.F. and Decision.

983-38-A.....H.B.M.....845 Second avenue, west side, 25 ft. north of East 45th street (Block 1319, Lot 23), Borough of Manhattan, E.S. 2010-38.

984-38-BZ.....H.B.Bx....3611-3621 Riverdale avenue, west side, 94.7 ft. north of West 236th street (Block 3416, Lot 162), Borough of The Bronx N.B. 262-38.

985-38-A.....H.B.M.....140 Riverside drive, east side from West 86th street to West 87th street, 351 West 86th street and 348-352 West 87th street (Block 1248, Lots 1, 2, 6, 7, 8, 9 and 54 to 59 inclusive), Borough of Manhattan, N.B. 144-38 and Decision

986-38-BZ.....H.B.Q.....138-60 78th avenue, southwest corner of Vleigh road and west side of Vleigh road, 103.35 ft. north of 78th road (Block 6609, Lot 1), Kew Gardens Hills, Borough of Queens, N.B. 8415-38

987-38-A.....F.D.....628-636 West 47th street, south side, 25 ft. east of Twelfth avenue (Block 1094, Lot 49) Borough of Manhattan, Decision

988-38-A.....H.B.Q.....69-77 and 69-81 181st street, east side, 42.80 ft. north of 73rd avenue and northeast corner of 181st street and 73rd avenue (Block 7133, Lot 16) Flushing, Borough of Queens N.B. 8174-38 and N.B. 8181-3

989-38-SM.....Munlock Interlocking Brick manufactured by Insulated Interlocking Brick and Tile Corporation, Material

990-38-A.....H.B.Q.....40-37 Hampton street, north side, 250 ft. west of Britton avenue (Block 1504, part of Lot 62), Elmhurst, Borough of Queens, N.B. 5912-38

CALENDAR

991-38-A.....H.B.Q.....40-49 Hampton street, north side, 370 ft. west of Britton avenue (Block 1504, part of Lot 62), Elmhurst ,Borough of Queens N.B. 6184-38.

992-38-BZ.....H.B.Bx....2802-2812 Eastern boulevard and 1062-1066 Swinton avenue, southeast corner (Block 5534, part of Lot 1), Borough of The Bronx, N.B. 590-38.

993-38-SM.....Horn Accordion Folding Bleachers, manufactured by Horn Folding Partition Company, Material.

994-38-A.....F.D.....17 West 60th street, north side, 175 ft. west of Broadway (Block 1113, Lot 13), Borough of Manhattan, 13912-L.C. and Decision.

995-38-S.....H.B.Q.....40-11 23rd street, east side, 100.1¼ ft. south of 40th avenue (Block 408, Lot 20), Long Island City, Borough of Queens, Alt. 7966-38.

996-38-SM.....Nu-Wood Insulating Sheathing, manufactured by Wood Conversion Company, Material.

997-38-SM.....Perfectseal Roof Coating and Roof Cement, manufactured by M. J. Merkin Paint Co., Inc., Material.

998-38-SA.....Phoenix "Duo-Cone" Syphon Ventilator, Appliance.

999-38-BZ.....H.B.Q.....219-25 Merrick boulevard, northwest corner of 220th street (Block 3541, Lot 114), Springfield, Borough of Queens, N.B. 8161-38.

1000-38-A.....F.D.....1101 Oak Point avenue and 510 Barry street, northeast corner (Block 2606, Lot 172), Borough of The Bronx, 8679-L.C. and Decision.

Restored to Calendar

1134-BZ.....H.B.B.....5901-5911 13th avenue, southeast corner of 59th street (Block 5712, Lot 1), Borough of Brooklyn, Decision.

1219-BZ.....H.B.M.....227-243 West 61st street, north side, 175 ft. east of West End avenue (Block 1153, Lot 8), Borough of Manhattan, Alt. 2541-38.

1228-BZ.....H.B.M.....136-138 East 41st street, south side, 148 ft. 3 in. east of Lexington avenue (Block 1295, Lot 46), Borough of Manhattan, Decision.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department and **F.D.**—Fire Department.

COURT DECISION

Palatnick (Murdock)—On February 1, 1938, board denied request for reopening, on alleged new facts, in re gasoline station in business district, previously denied under section 21, Cal. No. 235-31-BZ, premises 701-705 Utica avenue, east side, 100 ft. south of Clarkson avenue, Borough of Brooklyn. Mr. Justice Smith referred matter back to board for hearing (N.Y.L.J., Nov. 14, 1938).

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules....Oct.	4, 1938—Vol. 23, No. 40
Certificate of Occupancy, approved form .....Aug.	23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)...Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules .....Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
Factory Exit Rules.....Sept.	13, 1938—Vol. 23, No. 37
Fire Alarm Rules (Interior).....Oct.	4, 1938—Vol. 23, No. 40
Fire Drill Rules.....Aug.	9, 1938—Vol. 23, No. 32
Fire Retarding Rules for Garages, etc. .....Nov.	8, 1938—Vol. 23, No. 45
Fireproof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules .....Nov.	1, 1938—Vol. 23, No. 44
Gas Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection .....June	5, 1928—Vol. 13, No. 23
Oil Burner Rules.....Nov.	8, 1938—Vol. 23, No. 45
Paint, Varnish and Lacquer Spraying Rules .....Sept.	13, 1938—Vol. 23, No. 37
Platform Trucks, Specifications for..Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules .....Aug.	3, 1937—Vol. 22, No. 31
Procedure, Rules of.....Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract C.O.Sept.	27, 1938—Vol. 23, No. 39
Smoking in Factories, Rules for....Nov.	1, 1938—Vol. 23, No. 44
Sprinkler Rules .....June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting...June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves .....Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....Nov.	8, 1938—Vol. 23, No. 45
Fuel Oil Burners for Domestic and Commercial Use .....Aug.	30, 1938—Vol. 23, No. 35
Fuel Oil Fill Pipe Terminals.....Nov.	1, 1938—Vol. 23, No. 44
Fuel Oil Burners for Industrial Use.Aug.	30, 1938—Vol. 23, No. 35
Fuel Oil Pumps.....Nov.	8, 1938—Vol. 23, No. 45
Paint, Varnish and Lacquer Spraying Equipment .....Sept.	13, 1938—Vol. 23, No. 37
Range Oil Burners and Space Heaters .....Aug.	9, 1938—Vol. 23, No. 32

NOVEMBER 15, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November* 15, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 708-38-BZ—Application, August 9, 1938, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Patrick Carroll, owner, to permit partly in a business use district and partly in an unrestricted use district the extension of a gasoline service station; premises 92-28 Horace Harding (Nassau) boulevard, southeast corner of Queens boule-

vard (Block No. 2075, Lot Nos. 5 and 6), Elmhurst, Borough of Queens.

CAL. NO. 676-38-BZ—Application, July 29, 1938, under section 21 of the building zone resolution, of M. Allen Schlendorf, applicant, on behalf of Kroder-Reubel Co., owner, to permit in a business use district the erection and maintenance of a saw and planing mill; premises 75-81 Herbert street, north side, 50 ft. east of North Henry street (Block No. 2828, Lot No. 1), Borough of Brooklyn.

CAL. NO. 692-38-BZ—Application, August 4, 1938, under sections 7h and 21 of the building zone resolution, of Leopold Friedman, applicant, on behalf of Hawthorne Amusement Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 31-73 Bay 19th street, east side, 254 ft. south of 86th street (Block No. 6370, part of Lot No. 23), Borough of Brooklyn.

CAL. NO. 542-38-BZ—Application, June 24, 1938, under section 21 of the building zone resolution, of Patrick Quilty, applicant, on behalf of Department of Water Supply, Gas & Electricity, City of New York, owner, to permit in a business use district the erection and maintenance of an extension to an existing pumping station; extension to be used as a garage for more than five (5) motor vehicles; premises southwest corner of Fresh Meadow road and Underhill avenue (Block No. 5580, Lot No. 140), Flushing, Borough of Queens.

CAL. NO. 672-38-BZ—Application, July 27, 1938, under section 21 of the building zone resolution, of Clinton T. Roe, applicant, on behalf of Kate L. Wood and Martha Schenke, owners, to permit in a residence use district, the erection and maintenance of two (2) buildings, each having a store on the first story and dwelling above; plot is located in a proposed public park as shown on the zone map; premises 15-62 to 15-66 149th street, west side, 100 ft. south of 15th drive (Block No. 505, Lot No. 24), Whitestone, Borough of Queens.

CAL. NO. 480-25-BZ—Application of S. J. Kessler, applicant, on behalf of The 188 West 230th Street Corporation, owner, reopened May 17, 1938, under sections 7c and 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district, the inclusion of a motor vehicle repair shop in a garage (garage previously granted by the board); premises south side of West 230th street, 110.62 ft. east of Exterior street (Block No. 3264, Lot Nos. 104 and 106), Borough of The Bronx.

CAL. NO. 15-38-BZ—Application, January 10, 1938, under section 7h of the building zone resolution of John J. Gilmartin, applicant, on behalf of Third Avenue Railroad System, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 2526-2536 Amsterdam avenue, southwest corner of West 186th street (Block No. 2150, Lot No. 48), Borough of Manhattan.

CAL. NO. 660-38-BZ—Application, July 22, 1938, under sections 7h and 21 of the building zone resolution, of Louis E. Ordwein, applicant, on behalf of The Bank for Savings, owner, to permit partly in a residence use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises located within 200 ft. of a hospital; premises 409-411 West 57th street, north side, 89 ft. 8½ in. west of Ninth avenue (Block No. 1067, Lot Nos. 28 and 28½), Borough of Manhattan.

CAL. NO. 538-37-BZ—Application, November 15, 1937, under section 7h of the building zone resolution, of Nicholas Yannaco, applicant, on behalf of W. H. Flattau & Son, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 501 West 185th street, northwest corner of Amsterdam avenue (Block No. 2156, Lot No. 56), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

NOVEMBER 15, 1938, 2 P. M.

Appeals from Administrative Orders

306-38-A—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

807-38-A—529-533 Fifth avenue, northeast corner 14th street (Block No. 1035, Lot No. 1), Borough of Brooklyn.

832-38-A—South side of Eliot avenue, 626 ft., 644 ft. and 667 ft. west of 84th street (Block No. 2941, Lot No. 1), Elmhurst, Borough of Queens.

983-38-A—845 2nd avenue, west side, 25 ft. north of East 45th street (Block No. 1319, Lot No. 23), Borough of Manhattan.

885-38-A—55-57 Avenue D, southwest corner of East 5th street (Block No. 374, Lot No. 34), Borough of Manhattan.

917-38-A—163-34 to 163-40 Jamaica avenue, south side 307.30 ft. east of New York boulevard (Block No. 1167, Lot No. 16), Jamaica, Borough of Queens.

924-38-A—229-231 Atlantic avenue, north side, 175 ft. 3½ in. east of Court street (Block No. 277, Lot Nos. 10 and 11), Borough of Brooklyn.

929-38-A—185 East 162nd street, north side, 110 ft. west

CALENDAR

of Sheridan avenue (Block No. 2461, Lot No. 1), Borough of The Bronx.

930-38-A—1768 Dean street, south side, 233 ft. 2 in. west of Rochester avenue (Block No. 1349, Lot Nos. 21-30), Borough of Brooklyn.

934-38-A—14 Second avenue, east side, 47.10 ft. south of East 1st street (Block No. 442, Lot No. 6), Borough of Manhattan.

940-38-A—50-15 Skillman avenue, north side, 50 ft. west of 51st street (Block No. 129, Lot No. 69), Woodside, Borough of Queens.

950-38-A—75 Washington place, north side, 176 ft. east of Sixth avenue (Block No. 552, Lot No. 66), Borough of Manhattan.

951-38-A—346-348 Broadway, southeast corner of Leonard street and 46-50 Lafayette street (Block No. 170, Lot No. 6), Borough of Manhattan.

956-38-A—51-03 Van Dam street, southeast corner of Borden avenue (Block No. 305, Lot No. 17), Long Island City, Borough of Queens.

909-38-A—158 9th street, south side, 295 ft. 9 in. east of 2nd avenue (Block No. 1008, Lot No. 22), Borough of Brooklyn.

941-38-A—219-14 Merrick road, south side, 100 ft. east of 219th street (Block No. 3598, Lot No. 28), Springfield, Borough of Queens.

959-38-A—6202-6224 9th avenue, west side, from 62nd street to 63rd street, 874-884 62nd street and 879-883 63rd street (Block No. 5728, Lot Nos. 37-42), Borough of Brooklyn.

960-38-A—72-76 Grand avenue, west side, 120 ft. north of Park avenue (Block No. 892, Lot No. 48), Borough of Brooklyn.

962-38-A—133 East 47th street, north side, 145 ft. east of Lexington avenue (Block No. 1302, Lot No. 25½), Borough of Manhattan.

963-38-A—1026 East 23rd street, west side, 190 ft. south of Avenue J (Block No. 7604, Lot No. 55), Borough of Brooklyn.

965-38-A—3058 Brighton 5th street, west side, 177 ft. north of Brighton Beach avenue (Block No. 7284, Lot No. 1325), Borough of Brooklyn.

968-38-A—204 Columbia Heights, west side, 188 ft. 1 in. north of Pierrepont street (Block No. 233, Lot No. 10), Borough of Brooklyn.

971-38-A—356 Broadway, east side, 86 ft. north of Leonard street (Block No. 171, Lot No. 4), Borough of Manhattan.

972-38-A—146 Chambers street, south side, 100 ft. west of West Broadway (Block No. 137, Lot No. 33), Borough of Manhattan.

973-38-A—523 Broadway, west side, 50 ft. south of Spring street (Block No. 484, Lot No. 11), Borough of Manhattan.

974-38-A—831 Broadway, west side, 50 ft. south of East 13th street (Block No. 564, Lot No. 17), Borough of Manhattan.

975-38-A—47-28 30th place, west side, 203 ft. 6⅞ in. north of 48th (Anable) avenue (Block No. 283, Lot Nos. 1 and 38), Long Island City, Borough of Queens.

976-38-A—248-252 West 65th street, south side, 150 ft. east of West End avenue (Block No. 1156, Lot No. 56), Borough of Manhattan.

977-38-A—237-241 (233 displayed) Westminster road, east side, 300 ft. south of Beverly road (Block No. 5143, Lot No. 48), Borough of Brooklyn.

979-38-A—2065 West 7th street, east side, 180 ft. north of Avenue U (Block No. 7099, Lot No. 54), Borough of Brooklyn.

980-38-A—885 East 7th street, east side, 135 ft. north of Avenue H (Block No. 6495, Lot No. 49), Borough of Brooklyn.

982-38-A—453 West 17th street, north side, 100 ft. east of 10th avenue (Block No. 715, Lot No. 5), Borough of Manhattan.

985-38-A—140 Riverside drive, east side, from West 86th street to West 87th street, 351 West 86th street and 348-352 West 87th street (Block No. 1248, Lot Nos. 1, 2, 6, 7, 8, 9, 54 to 59 inclusive), Borough of Manhattan.

987-38-A—628-636 West 47th street, south side, 25 ft. east of 12th avenue (Block No. 1094, Lot No. 49), Borough of Manhattan.

988-38-A—69-77 and 68-81 181st street, northeast corner of 73rd avenue and east side of 181st street, 42.80 ft. north of 73rd avenue (Block No. 7133, Lot No. 16), Flushing, Borough of Queens.

1000-38-A—1101 Oak Point avenue and 510 Barry street, northeast corner (Block No. 2606, Lot No. 172), Borough of The Bronx.

1002-38-A—73-03, 73-07 and 73-11 183rd street, southeast corner of 73rd avenue and east side of 183rd street, 41.87 ft. and 81.87 ft. south of 73rd avenue (Block No. 7171, Lot No. 1), Flushing, Borough of Queens.

1003-38-A—73-04, 73-08 and 73-12 183rd street, southwest corner of 73rd avenue and west side of 183rd street, 53.85 ft. and 93.85 ft. south of 73rd avenue (Block No. 7170, Lot No. 1), Flushing, Borough of Queens.

1004-38-A—75-75 and 75-81 183rd street, northeast corner of Union turnpike and east side of 183rd street, 45.01 ft. north of Union turnpike (Block No. 7200, Lot No. 1), Flushing, Borough of Queens.

1005-38-A—75-76 and 75-82 183rd street, northwest corner of Union turnpike and west side of 183rd street, 50.92 ft. north of Union turnpike (Block No. 7199, Lot No. 1), Flushing, Borough of Queens.

Variations of Labor Law

910-38-S—1443-1451 39th street, north side, 310 ft. east of 14th avenue (Block No. 5347, Lot No. 58), Borough of Brooklyn.

946-38-S—331-335 38th street, north side, 360 ft. west of 4th avenue (Block No. 700, Lot Nos. 53 and 54), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November* 15, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 624-26-BZ—Application of Apa Realty Corpora-

CALENDAR

tion, applicant and owner, reopened September 27, 1938 for consideration as to extension of permit—re Application, granted on condition, under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station (erected under a temporary variation granted by the board for a temporary period); premises southwest corner of Kissena boulevard (road) and Horace Harding (Nassau) boulevard (Block No. 2167, Lot No. 35), Flushing, Borough of Queens.

CAL. NO. 554-37-BZ—Application, November 23, 1937, under section 7h of the building zone resolution, of Smith and Weber, applicants and lessees, on behalf of Board of Transportation, City of New York, owner, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 896-908 Eighth avenue, 260-266 West 54th street, southeast corner and 255 West 53rd street (Block No. 1025, Lot No. 3), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 18, 1938, 10 A. M.

Appeals from Administrative Orders.

850-38-A—North side of Walling street, 100 ft. east of Northern boulevard (rear of lot); (southeast corner of Sybilla street and Viola place); (Block No. 3895, Lot No. 1), Forest Hills, Borough of Queens.

851-38-A—East side of Northern boulevard, 92 ft. north of Walling street (Block No. 3895, Lot No. 29), Forest Hills, Borough of Queens.

852-38-A—North side of Walling street, 100 ft. east of Northern boulevard (front of lot); (northwest side of Walling street and Wanda place); (Block No. 3895, Lot No. 1), Forest Hills, Borough of Queens.

853-38-A—Northwest corner of Walnut street and 71st (Continental) avenue (Block No. 2805, Lot No. 1), Forest Hills, Borough of Queens.

854-38-A—90-20 70th drive (Wanda place), east side, 353 ft. 5 in. south of Metropolitan avenue (east side of Wanda place, 350 ft. south of Metropolitan avenue); (Block No. 3896, Lot No. 56), Forest Hills, Borough of Queens.

855-38-A—North side of Walling street, 150 ft. east of Northern boulevard (north side of Walling street, 180 ft. east of westerly lot line); (Block No. 3895, Lot No. 34 and part of Lot No. 35), Forest Hills, Borough of Queens.

856-38-A—North side of Walling street, 200 ft. east of Northern boulevard (northwest corner of Walling street and Wanda place); (Block No. 3895, Lot No. 35), Forest Hills, Borough of Queens.

NOVEMBER 22, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November* 22, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 391-37-BZ—Application, August 4, 1937, under section 7h of the building zone resolution, of Aaron Roth, applicant, on behalf of Kahnege Corporation, owner (Juliano Bocchemuzzo, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 49-01 to 49-19 Skillman avenue, north side, between 49th street and 50th street (Block No. 132, Los Nos. 67, 71, 72, 73 and 74), Long Island City, Borough of Queens.

CAL. NO. 275-38-BZ—Application, April 14, 1938, under section 7h of the building zone resolution, of J. G. L. Molloy, applicant, on behalf of David Zipkin, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 225-229 Sherman avenue and 531-537 West 207th street, southeast corner (Block No. 2223, Lot Nos. 1 to 4, inclusive), Borough of Manhattan.

CAL. NO. 274-38-BZ—Application, April 14, 1938, under section 7h of the building zone resolution of J. G. L. Molloy, applicant, on behalf of David Zipkin, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 102 Sherman avenue, north side, 100 ft. east of Dyckman street and 169-171 Dyckman street (Block No. 2224, Lot Nos. 45 to 48, inclusive and Lot No. 53), Borough of Manhattan.

CAL. NO. 436-38-BZ—Application, June 1, 1938, under section 21 of the building zone resolution of John F. Meehan, applicant, on behalf of Wilgate Holding Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 53-02 Kissena boulevard, southeast corner of 153rd street, northwest corner of Kissena boulevard and Peck avenue and northeast corner of 153rd street and Peck avenue (Block No. 5163, Lot No. 74), Flushing, Borough of Queens.

CAL. NO. 458-38-BZ—Application, June 3, 1938, under section 7h of the building zone resolution of W. H. and J. F. Dusenbury, applicants, on behalf of Son-Ray Realty and Holding Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles

CALENDAR

premises 1800-1808 East 177th street, southeast corner of Beach avenue (Block No. 3881, Lot Nos. 11 to 15, inclusive), Borough of The Bronx.

CAL. NO. 701-38-BZ—Application, August 8, 1938, under section 7h of the building zone resolution, of Naphtali A. Weidberg, applicant, on behalf of Frank Spano and Michael Spano, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 90-14 168th street, west side, 112.50 ft. south of 90th avenue (Block No. 867, Lot Nos. 77 and 79), Jamaica, Borough of Queens.

CAL. NO. 652-38-BZ—Application, July 21, 1938, under sections 7a and 7c of the building zone resolution, of Charles G. Coster, applicant, on behalf of De Luxe Laboratories, Inc., owner, to permit in a residence use district the alteration and change of occupancy of an existing building to an office building; premises 448 West 56th street, south side, 125 ft. east of Tenth avenue (Block No. 1065, Lot No. 59), Borough of Manhattan.

CAL. NO. 428-37-BZ—Application, September 1, 1937, under section 7h of the building zone resolution, of James Newell, applicant and lessee, on behalf of 870 Eighth Avenue Corporation, Board of Transportation, City of New York and Estate of John L. Sauervein (Sarah Sauervein, executrix and trustee), owners, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 870-884 Eighth avenue, northeast corner of West 52nd street (Block No. 1024, Lot Nos. 1, 2, 3, 63 and 161), Borough of Manhattan.

CAL. NO. 313-22-BZ—Application of Felix M. Rosenstock, applicant, on behalf of Peronne Realty Co., Inc., owner, reopened November 1, 1938, under sections 7b and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the alteration and extension in height of an existing business building (previously granted by the board); premises 333-335 East Fordham road and 2534-2544 Bainbridge avenue, northeast corner (Block No. 3286, Lot No. 1), Borough of The Bronx.

CAL. NO. 177-27-BZ—Application of Seelig and Finkelstein, applicants, on behalf of Bay Road Realty Corporation, owner, reopened November 1, 1938, for consideration as to extension of time to obtain permits and to complete work—time having expired by limitation—re Application, previously granted on condition, under section 7c of the building zone resolution, permitting in a residence use district extending from a business use district the erection and maintenance of a building for store occupancy on the first story; premises north side of Broadway (Cornaga avenue), 79.18 ft. east of Mott avenue (Block No. 47, Lot No. 78), Far Rockaway, Borough of Queens.

CAL. NO. 362-38-BZ—Application, May 11, 1938 under sections 6a, 6b and 21 of the building zone resolution, of David Steckler, applicant, on behalf of Henry Felsenstein, owner, to permit in a residence use district the extension in area of a garage and gasoline service station; premises 2042-2044 Ocean avenue, west side, 470 ft. south of Avenue O (Block No. 6766, Lot No. 36 and part of Lot No. 38), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 22, 1938, 2 P. M.

Appeal from Administrative Order

748-38-A—506-516 Wortman avenue and 953 Essex street, southeast corner (Block No. 4407, Lot No. 1), Borough of Brooklyn.

NOVEMBER 29, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 29*, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 345-36-BZ—Application of Hahn and Coller, applicants, on behalf of John Seinfeld, owner, reopened November 1, 1938, for rehearing on new facts (previously denied by board)—Court having referred matter back to board for rehearing and reconsideration—re Application, under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use (stores); premises 2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block No. 3161, Lot No. 26), Borough of The Bronx.

CAL. NO. 245-37-BZ—Application of Nathan Mandel, applicant, on behalf of St. Cloud Construction Corporation, owner, reopened November 1, 1938 for rehearing on new facts (previously denied by board)—Court having referred matter back to board for rehearing and reconsideration—re Application, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (store); premises 2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx.

CAL. NO. 764-38-BZ—Application, September 1, 1938, under

CALENDAR

sections 7c and 21 of the building zone resolution, of L. M. Rothman, applicant, on behalf of Bonay Holding Co., Inc., owner, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a motion picture theatre; premises 787-795 Lydig avenue, northwest corner of Barnes avenue (Block No. 4321, Lot No. 1), Borough of The Bronx.

CAL. NO. 61-38-BZ—Application, February 2, 1938, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of A. May Condit, owner, to permit in a business use district the extension of a gasoline service station; premises 5232-5248 Broadway, northeast corner of West 226th street (Block No. 2215, part of Lot No. 130), Borough of Manhattan.

CAL. NO. 285-38-BZ—Application, April 19, 1938, under section 21 of the building zone resolution, of L. E. Driver, applicant and chief engineer, on behalf of New York Dock Company, owner, to permit partly in a business use district and partly in an unrestricted use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 210-218 Furman street, west side, 449 ft. 2 in. north of Montague street (Bldg. No. 46); (Block No. 199, part of Lot No. 3), Borough of Brooklyn.

CAL. NO. 573-37-BZ—Application, December 3, 1937, under sections 7h and 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Mutual Life Insurance Co. of New York, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of not more than five (5) motor vehicles; premises 158-176 Columbus avenue, 101 West 67th street, 100 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Borough of Manhattan.

CAL. NO. 737-38-BZ—Application, August 19, 1938, under section 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Mary L. Walker, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1183 River avenue, west side, 100 ft. south of East 167th street (Block No. 2496, Lot No. 64), Borough of The Bronx.

CAL. NO. 834-38-BZ—Application, September 30, 1938, under sections 7h and 21 of the building zone resolution, of Julius Eckmann, applicant, on behalf of Charles T. Wills, Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises is located on same street, between two (2) intersecting streets, in which portion there exists an exit from and an entrance to a public school; premises 240-246 West 68th street, south side, 470 ft. west of Amsterdam avenue (Block No. 1159, Lot Nos. 52 to 55, inclusive), Borough of Manhattan.

CAL. NO. 784-38-BZ—Application, September 12, 1938, under section 21 of the building zone resolution, of William V. McDevit, applicant, on behalf of J. Clarence Davies, Inc., owner (Socony-Vacuum Oil Company, Inc., lessee), to permit in a business use district the erection and maintenance of an additional accessory building on an existing gasoline service station; premises 3273-3275 Westchester avenue and 2000-2006 Colonial avenue, northeast corner (Block No. 4249, Lot No. 1), Borough of The Bronx.

CAL. NO. 40-19-BZ—Application of William M. Farrar, applicant, on behalf of The Greenwich Savings Bank, owner, reopened November 9, 1938, under section 21 of the building zone resolution, to permit in a business use district the alteration and conversion of occupancy of a garage for more than five (5) motor vehicles (previously granted by the Board) to a factory building; premises 227-243 West 61st street, north side, 175 ft. east of West End avenue (Block No. 1153, Lot No. 8), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 29, 1938, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 29,* 1938, at 2 o'clock, in Room 1013, Municipal Building on the following matter:

CAL. NO. 772-28-BZ—Application of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in City of New York, owner, reopened November 9, 1938 on new proposal, under section 7c of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously granted by the board for a garage for more than five (5) motor vehicles); premises 136-138 East 41st street, south side, 148 ft. 3 in. east of Lexington avenue (Block No. 1295, Lot No. 46), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 6, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions

CALENDAR

of the building zone resolution, *Tuesday morning, December* 6, 1938, at 10 o'clock, in Room 1013 Municipal Building on the following matters:

CAL. NO. 728-38-BZ—Application, August 17, 1938, under section 21 of the building zone resolution of Nathan Cooper, applicant, on behalf of Max Davidson, owner, to permit in a business use district the conversion of part of an existing building to a junk shop; premises 2401 Poplar street, northeast corner of Bronxdale avenue (Block No. 4062, Lot No. 27), Borough of The Bronx.

CAL. NO. 957-38-BZ—Application, September 29, 1938, under section 21 of the building zone resolution, of Stephen L. Heidrich, applicant, on behalf of Estate of Frederick D. Fricke, owner (Earle Hotel Corp., lessee), to permit in a residence use district, the conversion of occupancy of part of an existing building to a business use (restaurant); premises 103-105 Waverly place, north side, 35 ft. 3 in. west of MacDougal street (Block No. 553, Lot No. 31), Borough of Manhattan.

CAL. NO. 848-38-BZ—Application, October 5, 1938, under section 21 of the building zone resolution, of Abram Shlefstein, applicant, on behalf of Craufombe Estates, Inc., owner, (Shell Union Oil Corp., lessee), to permit in a business use district, the erection and maintenance of an accessory building to an existing gasoline service station; premises 2942-2948 Avenue U and 2102-2112 Haring street, southwest corner (Block No. 7363, Lot No. 5), Borough of Brooklyn.

CAL. NO. 589-38-BZ—Application, July 8, 1938, under sections 7h and 21 of the building zone resolution, of Jay Emanuel, applicant, on behalf of Franklin Savings Bank, in the City of New York, owner, (Jacob A. Goldstein and May Harris, lessees), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 303 West 51st street, north side, 58 ft. 10½ in. west of Eighth avenue (Block No. 1042, Lot No. 28½ and part of Lot Nos. 29, 30, 30½, 31, 32, 33, 33½ and 34), Borough of Manhattan.

CAL. NO. 771-38-BZ—Application, September 6, 1938, under section 21 of the building zone resolution, of William F. Wund and Allen Moss, applicants, on behalf of Wonten Realty Corporation, owner, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 204 West 65th street, south side, 50 ft. west of Amsterdam avenue (Block No. 1156, Lot No. 36), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY MORNING, NOVEMBER 9, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, October 25, 1938, the minutes of the regular meeting of the board held on Tuesday afternoon, October 25, 1938 and the minutes of the special meeting of the board held on Friday morning, October 28, 1938, were approved as printed in Bulletin No. 44, Volume 23.

BUILDING ZONE CASES

52-38-BZ.

APPLICANT—David Steckler, for Henry Felsenstein, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 6a, 6b and 21 of the building zone resolution, to permit in a residence use district the extension in area of a garage and gasoline service station.

PREMISES AFFECTED—2042-2044 Ocean avenue, west side, 470 ft. south of Avenue O (Block No. 6766, Lot No. 36 and part of Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Steckler.

For Opposition None.

ACTION OF BOARD—Laid over to November 22, 1938, at 10 A. M. on request of applicant.

459-37-BZ.

APPLICANT—MacMurray Holding Corporation, for The Mutual Life Insurance Company, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a business use district, partly in a retail use district and partly in a restricted retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—886 Seventh avenue and 201-209 West 56th street, northwest corner (Block No. 1028, Lot Nos. 25, 27, 29 and 29½), Borough of Manhattan.

APPEARANCES—

For Applicant: George D. Carrington and J. A. Boehme.

For Opposition: Benjamin Gollay, A. Peroller, Nathan Meyer and J. B. Vandever.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(459-37-BZ)

WHEREAS, MacMurray Holding Corporation, for The

Mutual Life Insurance Company, owner, filed September 27, 1937, an application under the building zone resolution, to permit partly in a business use and partly in a retail use and partly in a restricted retail use district, for a temporary period of not more than two (2) years, parking and storage of more than five (5) motor the vehicles; Premises: 886 Seventh avenue and 201-209 West 56th street, northwest corner (Block No. 1028, Lot Nos. 25, 27, 29 and 29½), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 9, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Seventh avenue is in a retail and restricted retail use district; West 56th street is in a business and retail use district; West 57th street is in a restricted retail, retail and business use district and Broadway is in a retail use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated August 17, 1938, reads:

> "Your application dated August 9, 1938, for a certificate of occupancy for the use of the above premises for the parking and storage of more than 5 motor vehicles has been denied as the premises are located partly in a business district, partly in a retail district and partly in a restricted retail district, where this occupancy is prohibited by article 2, section 4a, subdivision 15 of the building zone resolution and article 2, section 4b of the building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 200 ft. on West 56th street and 100 ft. 5 in. on Seventh avenue. The easterly portion of the plot is located in a retail use district; a small irregular area at the north side of the plot is located in a restricted retail use district and the remainder is located in a business use district. It is proposed to use the plot for a temporary period of not more than two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to hearing; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision H of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-H thereof, to permit the premises within the business and retail use districts to be used for the transient parking only of more than five (5) motor vehicles of the pleasure-car type for a period of two years from the date of this action, *on condition* that each car so parked shall bear a ticket stamped with the date and hour of entry; that the plot shall be levelled substantially to the grade of the surrounding streets and shall be surfaced with steam cinders or other suitable surfacing and maintained so as to prevent dusting; that there shall be erected on the interior lot lines where walls of existing adjoining buildings do not exist, a substantial woven wire fence not less than 6 ft. in height and a similar fence shall be erected to separate that portion of the plot which is in the restricted retail district; that a similar fence shall be erected on the street building lines of West 56th street and Seventh avenue with no openings therein except one to West 56th street, which shall be not over 18 ft. in width; that parallel to the fence on the interior of the lot, there shall be erected a suitable curbing of wood or cement of sufficient width to protect the fence; that except for the 18 ft. curb cut on West 56th street, there shall be no other openings or exits from the premises and all other existing curb cuts shall be restored; that during the term of this variance, the plot shall be used for no other use than that of transient parking herein permitted and no building shall be permitted on the plot, except there may be erected near the entrance at West 56th street a building not over 150 sq. ft. in area and one story in height as an office and shelter for the attendant; that there shall be no signs erected on the premises, except a sign that may be attached to the fence at the entrance advertising the transient parking use and the rates charged, provided such sign does not exceed 15 sq. ft. in area and is not illuminated; that such notable fire-fighting appliances shall be maintained as the fire commissioner shall direct and that all permits required shall be obtained and all work involved completed within three months from the date of this resolution.

595-37-BZ.

APPLICANT—Arthur W. Renander, for Nunley Parking Co., Inc., lessee, Eleanor Hedwig Arnold, Sicko Realty Corporation and L. K. F. Realty Co., Inc., owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—170-15 to 170-21, 171-01 to 171-19, 172-01 to 172-25 and 173-05 to 173-13 Hillside avenue, north side, 56.51 ft. west of Kingston road avenue (Block No. 896, Lot Nos. 42 and 48 and Block No. 923, Lot Nos. 1, 10, 14 and 17), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(595-37-BZ)

WHEREAS, Arthur W. Renander, for Nunley Parking Co., Inc., lessee, Eleanor Hedwig Arnold, Sicko Realty Corporation and L. K. F. Realty Co., Inc., owners, filed December 16, 1937, an application under the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 170-15 to 170-21, 171-01 to 171-19, 172-01 to 172-25 and 173-05 to 173-13 Hillside avenue, north side, 56.51 ft. west of Kingston road (Block No. 896, Lot Nos. 42 and 48 and Block No. 923, Lot Nos. 1, 10, 14 and 17), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 9, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Hillside avenue is in a business use district; Kingston place is in a residence and business use district; Cedarcroft place is in a residence use district; 171st street is in a residence and business use district; 172nd street is in a residence and business use district and 173rd street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated December 6, 1937, reads:

> "Please be advised that application made to this department to cover use of premises on the north side of Hillside avenue, 56.51 ft. west of Kingston road, Borough of Queens, for parking and storage space

purposes for more than five (5) cars, is hereby DENIED, as this location is situated in a business district and such use would be contrary to Subd. 15, Sec. 4 of the building zone resolution of the City of New York."

WHEREAS, the premises, part of a larger parcel of ground, having a frontage of 780 ft. on Hillside avenue and a depth of 100 ft.; it is proposed to use the plot, for a temporary period of not more than two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to hearing; and

WHEREAS, the board deemed that this was a proper case to exercise its discretion under section 7, subdivision H, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7, subdivision H, of the building zone resolution, *for a term of two* (2) *years*, to permit the premises under appeal to be used for the transient parking of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so parked; that the plot shall be graded substantially to the grade of Hillside avenue, except that a natural bank may be left for a distance of approximately 25 ft,. parallel to the rear lot line, but if excavated for the full depth of 150 ft., a proper retaining wall shall be constructed to protect the adjoining premises to the north; that the plot shall be surfaced with steam cinders, clean gravel or other suitable material, properly bound and rolled to prevent dusting; that there shall be erected on the interior lot line to the west and east a substantial woven-wire fence not less than 6 ft. in height, also, a similar fence along building line of Hillside avenue, with not more than three (3) openings therein, each not exceeding 15 ft. in width, with curb cuts opposite not exceeding 18 ft. in width; that proper aisles shall be maintained to permit easy ingress and exit of cars; that during the term of this variance, there shall be no other use than that herein permitted—transient parking; that all existing signs shall be removed; that no additional signs shall be constructed, except there may be a sign at each one of entrances, advertising transient parking use and rates charged, provided such signs shall be attached to fence and shall not exceed an area of 15 sq. ft.; that no building shall be erected on the premises, except there may be erected a building not exceeding one story in height and not over 150 sq. ft. in area, used as an office and for shelter for attendant; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; and that all permits shall be obtained and all work shall be completed within three months from the date of this action.

3-38-BZ.

APPLICANT—Margaret Scally, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—136-43 and 136-45 37th avenue, north side, 400 ft. east of Main street (Block No. 4977, Lot Nos. 90 and 91), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: William F. Halloran.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(23-38-BZ)

WHEREAS, Margaret Scally, the owner, filed January 15, 1938, an application under the building zone resolution, to permit in a business use district for a temporary period of not more than two years, the parking and storage of more than five (5) motor vehicles Premises: 136-43 and 136-45 37th avenue, north side, 400 ft. east of Main street (Block No. 4977, Lot Nos. 90 and 91), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 9, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 37th avenue is in a business use district; Northern boulevard is in a business and residence use district; Main street is in a business use district and Union street is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings dated December 16, 1937, reads:

"Be advised that application which you made to this department for issuance of Certificate of Occupancy to cover use of premises known as 136-43—136-45 37th avenue, Flushing, shown on diagram to be situated on the north side of 37th avenue, 400 ft. east of Main street, for parking and storage space purposes for more than five cars, is hereby denied, as this location is situated in a business district and such use would be contrary to Subdivision 15, Section 4, of the Building Zone Resolution of the City of New York."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 60 ft. and a depth of 200 ft. Upon the 37th avenue front of the plot there is located a frame dwelling 25 ft. by 35 ft. in area, and upon the rear of the lot there are garages for 5 cars; it is proposed to use the remainder of the plot for a temporary period of not more than two (2) years, for parking and storage of more than 5 motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to hearing; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted*, under section 21, to permit the vacant portion of the plot under appeal to be used for transient parking of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be parked; that all buildings on the premises, except the existing residence building, shall be removed; that the plot shall be graded substantially to the grade of 37th avenue; that on interior lot lines, where a substantial fence does not already exist, there shall be erected a substantial woven-wire or wood fence; that along the front of plot, a substantial wood picket or woven-wire fence shall be erected, except for one entrance, not exceeding 15 ft. in width, with curb cut opposite not exceeding 15 ft.; that at all times proper aisles shall be maintained for easy ingress and exit of cars; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that no signs shall be erected on premises, except a sign at the entrance, attached to fence, advertising transient parking use and rates charged, provided such sign does not exceed 15 sq. ft. in area; and that all permits shall be obtained and all work involved completed within three months from the date of this action.

44-38-BZ.

APPLICANT—Arthur W. Renander, for Gertrude C. Van Iewater, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—89-22 to 89-26 165th street, west side, 200.15 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 48), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Arthur W. Renander.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(44-38-BZ)

WHEREAS, Arthur W. Renander, for Gertrude C. Vandewater, owner, filed January 25, 1938, an application under the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 89-22 to 89-26 165th street, west side, 200.15 ft. south of 89th (Shelton) avenue (Block No. 866, Lot No. 48), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 9, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 165th street is in a business and residence use district; 164th street is in a business and residence use district and 89th avenue is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated December 29, 1937, reads:

"Be advised that application which you made to this department, as representative of Nunley Parking, Inc., for issuance of certificate of occupancy to cover use of premises known as west side 165th street, 200.15 ft. south of 89th avenue, Borough of Queens, for parking and storage purposes for more than five cars, is hereby DENIED, as this location is situated in a business district, and such use would be contrary to subdivision 15, section 4, of the building zone resolution of the City of New York."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 75 ft. on 164th street, 75 ft. on 165th street and a depth of 196 ft. It is proposed to use the plot for a temporary period of not more than two (2) years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to hearing; and

WHEREAS, the board deemed that this was a proper case to exercise its discretion under section 7, subdivision H, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted,* under section 7, subdivision H, *for a period of two* (2) *years,* permitting the plot under appeal to be used for transient parking of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so parked; that during the term of this variance, the plot shall be used for no other use; that the plot shall be levelled substantially to the grade of 164th and 165th streets and shall be surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting and to provide surface drainage; that all existing buildings shall be removed from the plot and no building erected, except there may be erected a building not over one story in height, not over 150 sq. ft. in area as an office and shelter for attendant; that there shall be erected on interior lot lines and on street building lines a substantial woven-wire fence not less than 6 ft. in height; that there shall be not less than two (2) openings for exit and entrance, one to each street not exceeding 20 ft. each in width, with curb cuts opposite of similar width; that no sign shall be erected on the premises, except there may be a sign attached to the fence at each opening, not over 15 sq. ft. in area and advertising only the transient parking use and the rates charged; that this lot may be used in conjunction with adjoining lot to the north and under the same management and control, a zoning variance for which was granted by this board under Cal. No. 107-37-BZ in which case the wire fence required thereunder, to separate lots 52 and 48, may be omitted; that proper aisles shall be maintained at all times to permit the easy ingress and exit of cars; that such proper fire-fighting appliances shall be maintained as the fire commissioner shall direct; and that all permits shall be obtained and all work shall be completed within three months from the date of this action.

66-38-BZ.

APPLICANT—William Shary, for Abraham Goldenblum, lessee, Board of Transportation, Ctiy of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—340-354 Sixth avenue, east side from West 4th street to Washington place, 151 West 4th street and 88-90 Washington place (Block No. 552, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: William Shary, Samuel Goldenblum, Nathan Podolsey and Edward G. Steinert.

For Opposition: C. A. Meier, Eugene Schoen and M. Axelrod.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....

Negative .....

Absent .....

THE RESOLUTION—

(66-38-BZ)

WHEREAS, William Shary, for Abraham Goldenblum, Board of Transportation, City of New York, owner, filed February 3, 1938, an application under the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; Premises: 340-354 Sixth avenue, east side, from West 4th street to Washington place, 151 West 4th street and 88-90 Washington place (Block No. 552, Lot No. 1), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 9, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Sixth avenue is in a business use district; West 4th street is in a business and residence use district; Washington place is in a residence and business use district and Washington square west is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated February 1, 1938, reads:

"Your application for a certificate of occupancy for use of the above premises as a parking space for more than 5 cars has been denied by this department as the premises is located in a business district and article 11, section 4a subdivision 15 of the B.Z. prohibits this use in a business district."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 193 ft. on Sixth avenue; 79 ft. on Washington place and 67 ft. 2 in. on West 4th street. Upon the plot there is located a lunch wagon and also a one story frame structure covering a future subway entrance; it is proposed to use the remainder of the plot for a temporary period of not more than two (2) years, for the parking, only, of more than five (5) motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to hearing; and

WHEREAS, the board deemed that this was a proper case to exercise its discretion under section 7, subdivision h, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under section 7, subdivision h, of the building zone resolution, *for a period of two (2) years*, to permit the plot under appeal to be used for transient parking of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be parked; that the plot shall be levelled substantially to the grade of surrounding streets and shall be surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting; that there shall be erected on the street building lines a substantial wood or metal fence; that the existing fences along Washington place and Sixth avenue may be maintained provided same are kept in good repair and kept painted; that along West 4th street a fence shall be erected from the easterly lot line for a distance of, approximately, 25 ft.; that there shall be no entrance from the premises except one from West 4th street, not exceeding 20 ft. in width, with curb cut opposite not exceeding 15 ft. in width; that during the term of this variance no additional buildings (other than those now existing) shall be erected and no use shall be maintained other than the use herein permitted, together with such use as may be required in connection with existing building to the north for subway construction; that proper aisles shall be maintained for easy entrance and exit of cars; that such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that no signs shall be erected on the premises other than those now existing, except there may be a sign erected at the entrance, attached to the fence, advertising the transient parking use and the rates charged provided such sign does not exceed 15 sq. ft. in area; that any additional requirements of the Board of Transportation set forth in the lease-agreement shall be complied with; and that all permits shall be obtained and all work shall be completed within three months from the date of this action.

552-38-BZ.

APPLICANT—W. J. Cherry, for Antur Holding Corporation, c/o N. Y. State Banking Department (Bank of U. S.), owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a residence use district and also "B" area district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the omission of the required rear yard.

PREMISES AFFECTED—777 Sheridan avenue, west side, 152.59 ft. north of East 156th street (Block No. 2458, Lot No. 124), Borough of The Bronx.

APPEARANCES—

For Applicant: W. J. Cherry and E. Stanley Marks.

For Opposition: David Palmer.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(552-38-BZ)

WHEREAS, W. J. Cherry, for Antur Holding Corporation, c/o N. Y. State Banking Dept. (Bank of U. S.), owner, filed June 28, 1938, an application under the building zone resolution, to permit partly in an unrestricted use and partly in a residence use district, and also "B" area district, the erection and maintenance of a garage for more than five (5) motor vehicles and, also, the omission of the required rear yard; Premises: 777 Sheridan avenue, west side, 152.59 ft. north of East 156th street (Block No. 2458, Lot No. 124), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 9, 1938, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the district maps accompanying the building zone resolution show that Sheridan avenue is in an unrestricted use and "B" area district; Grand concourse is in a residence, unrestricted use and "B" area district; East 156th street is in an unrestricted use and "B" area district and East 158th street is in a residence and unrestricted use and "B" area district; and

WHEREAS, the decision of the borough superintendent of buildings, dated August 17, 1938, re Application No. 265-1938, reads:

"1. The erection of the proposed building to be occupied as a public garage located partly in an unrestricted district and partly in a residence district is contrary to section 3 of the building zone resolution.

2. Rear yard must be maintained in compliance with section 17-B of building zone resolution."

and

WHEREAS, the building is of fireproof construction, one story and basement in height, with a frontage of 178.5 ft. and a depth of 126.6 ft. irreg. to be occupied as a garage for more than five motor vehicles, with the omission of the rear yard; the rear portion of the building extends into the residence use district for a distance of approximately 26 ft.; and

WHEREAS, the board deemed that the provisions of section 7, subdivision C of the building zone resolution, empowered the board to exercise its discretion to grant this application as to extension of use under such conditions as would safeguard the character of the more restricted district; and that under section 21 the requirements for a rear yard should be varied because of the difference in grade.

RESOLVED, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-C thereof as to use and section 21 as to area in the residence use district, so as to permit the construction of the one-story garage, as proposed, *on condition* that the roof of the garage at the rear shall not be higher than the rear yard of the adjoining apartment house facing the Concourse on Lot 80; that any windows facing northerly shall be fireproof self-closing; that any skylights erected in the roof shall be entirely within the unrestricted use area; that all permits required shall be obtained and all work involved completed within one year from the date of this action.

583-38-BZ.

APPLICANT—Harry Yahr, for The Mutual Life Insurance Company of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Yahr.

For Opposition: Benjamin Gollay, Nathan Meyer, A. Peroller and J. B. Vandever.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(583-38-BZ)

WHEREAS, Harry Yahr, for The Mutual Life Insurance Company of New York, owner, filed July 8, 1938, an application under the building zone resolution, to permit partly in a retail use district and partly in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 1738-1748 Broadway and 216 West 56th street, southeast corner (Block No. 1027, Lot No. 23), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting November 9, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway is in a retail use district; West 56th street is in a business and retail use district; and West 55th street is in a business and retail use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated June 23, 1938, reads:

> "Your application, dated June 22, 1938, for a certificate of occupancy for use of the above premises for the parking and storage of more than 5 motor vehicles is denied as the premises are located in a retail and business district, where this occupancy is prohibited by article II, section 4a, subdivision 15 of the zone resolution."

and

WHEREAS, the premises consist of an irregularly shaped plot of ground having a frontage of 131 ft. 9 in. on Broadway and 122 ft. 7 in. on West 56th street; a small irregularly shaped area at the northeasterly portion of the plot is located in a business use district; the remainder is located in a retail use district. It is proposed to use the plot for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to hearing; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion under section 7, subdivision H of the building zone resolution; and

WHEREAS, the committee of the board recommended that this application be granted under similar conditions as those in Cal. No. 459-37-BZ, affecting premises 886 Seventh avenue and 201-209 West 56th street, northwest corner, Borough of Manhattan

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted,* under section 7-H, *for a period of two years,* to permit the transient parking only of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure-car type shall be so parked; that the plot shall be levelled substantially to the grade of the surrounding streets; that any existing structures and fence shall be entirely removed; that the plot shall be surfaced with steam cinders or other suitable material, properly rolled and bound to prevent dusting; that there shall be erected on the interior lot lines, where walls of existing buildings do not occur, a substantial woven-wire fence not less than 6 ft. in height; that there shall be erected a similar fence or a steel picket fence of same height along the street line of Broadway and West 56th street with no openings therein, except one opening to West 56th street towards the centre, not over 15 ft. in width, with a curb cut opening not exceeding 18 ft. in width opposite thereto; that along the street building line of Broadway and West 56th street, within the plot and adjacent to the fence, there shall be erected a suitable cement bumper of sufficient width to assure that the protecting and enclosing fence will not be damaged; that during the term of this variance, the plot shall be used for no other use than that herein permitted—transient parking, and to effectuate this that each car so parked shall bear a ticket stamped with the date and hour of entry; that no signs shall be erected on premises, except there may be erected one sign at the entrance on West 56th street, which sign shall be attached to fence, said sign shall be not more than 16 sq. ft. in area, advertising solely the parking use and the rates charged; that no building shall be erected on premises, except there may be erected near the entrance a building not over 150 sq. ft. in area and not over one story in height as an office and shelter for attendant; that such portable fire-fighting appliances shall be maintained as the fire commissioner shall direct; and that all permits shall be obtained and all work shall be completed within three months from the date of this action.

Adjourned, 12:10 P. M.

EDWARD V. BARTON, Chief Clerk.

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

WEDNESDAY AFTERNOON, NOVEMBER 9, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

40-19-BZ.

APPLICANT—William M. Farrar, for The Greenwich Savings Bank, owner.

SUBJECT—Application for consideration—reopening and amendment—(re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the alteration and change of occupancy of a garage for more than five (5) motor vehicles, previously granted by the Board, to a factory.

PREMISES AFFECTED—227-243 West 61st street, north side, 175 ft. east of West End avenue (Block No. 1153, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: Wm. M| Farrar.

ACTION OF BOARD—Application reopened and set for hearing November 29, 1938 at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

772-28-BZ.

APPLICANT—Louis E. Ordwein, for The Bank for Savings in City of New York, owner.

SUBJECT—Application for consideration—reopening under new proposal (re decision of the borough superintendent of buildings) under section 7-e of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously granted for a garage for more than five (5) motor vehicles).

PREMISES AFFECTED—136-138 East 41st street, south side, 148 ft. 3 in. east of Lexington avenue (Block No. 1295, Lot No. 46), Borough of Manhattan.

APPEARANCES—

For Applicant: David Weinberg.

ACTION OF BOARD—Application reopened and set for hearing, November 29, 1938 at 2 P. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

65-34-BZ.

APPLICANT—John Burke, for Domenick Schirripa, owner.

SUBJECT—Application for consideration—reopening and rehearing under new proposal (re decision of the acting borough superintendent of buildings), under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—5901-5911 13th avenue, southeast corner of 59th street (Block No. 5712, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: John Burke.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

731-38-BZ.

APPLICANT—Fred B. McDuffee, Director, Bureau of Architecture, Department of Public Works, for City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of an extension to an existing garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—535-543 East 120th street, northwest corner of East River drive (Block No. 1817, part of Lot No. 13), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Opposition: Representative of Greenbaum, Wolff & Ernst.

ACTION OF BOARD—Application withdrawn by written request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

1587-21-BZ.

APPLICANT—I. M. D. Realty Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment (re decision of the borough superintendent of buildings) re application, previously granted on condition, under section 7c of the building zone resolution, permitting partly in a business use district and partly in a residence use district the erection of a business building.

PREMISES AFFECTED—Southeast corner of Crotona parkway and East 180th street (Block No. 3118, Lot No. 26 and part of Lot No. 31), Borough of The Bronx.

APPEARANCES—

For Applicant: Philip Strollband.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1587-21-BZ)

WHEREAS, Samuel Cohn, for J. Sidney Bernstein, owner, filed December 7, 1921, an application under the building zone resolution, to permit on a plot partly in a business district and partly in a residence district the erection of a business building; premises southeast corner of 180th street and Crotona parkway (Block No. 3118, Lot No. 26 and part of Lot No. 31), Borough of The Bronx; and

WHEREAS, this application was granted by the board February 28, 1922, on certain conditions and the present owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on

February 28, 1922, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that the store area be divided by a brick partition wall as a fire stop erected at the rear of the stores facing on 180th street, running the entire depth of the building and extending three feet above the roof, the same to be unpierced throughout its entire length and height; and that the rear wall and gable wall of the premises, extending into the residence district, be unpierced throughout their entire height and length.

Resolved further, that in the event that it is desired to construct an extension to this building within the business use district to Mohican avenue in the rear, that such extension may be constructed, provided the height or area of the building within the residential district is not increased and the resolution adopted by the board on February 28, 1922, is complied with in all other respects."

42-37-BZ.

APPLICANT—Camager Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the commissioner of buildings) under section 7c of the building zone resolution, permitting in a business use district the extension of an existing gasoline service station.

PREMISES AFFECTED—89-06 to 89-14 Myrtle avenue and 82-02 to 82-10 Woodhaven boulevard, southwest corner (Block No. 3866, Lot No. 160), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Samuel Lefstein and Jacob Glicksman.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(42-37-BZ)

WHEREAS, Alfred H. Eccles, for Camager Corporation, owner, filed February 4, 1937, an application under the building zone resolution to permit in a business use district the extension of an existing gasoline service station; premises: 89-06 to 89-14 Myrtle avenue and 82-02 to 82-10 Woodhaven boulevard, southwest corner (Block No. 3866, Lot No. 160), Glendale, Borough of Queens; and

WHEREAS, this application was granted by the board May 18, 1937, on certain conditions, resolution amended July 13, 1938, and October 18, 1937, and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted May 18, 1937, as amended July 13, 1938, and October 18, 1937, only so far as it has reference to the greasing pits, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7-C to permit the existing gasoline station area to be increased to a total frontage along Woodhaven boulevard of 68 ft. 10 in. and a total frontage along Myrtle avenue of 100 ft., as indicated on revised plans marked 'Received May 18, 1937', and to use this entire area as a gasoline selling station, *on condition* that the plot shall be graded substantially to the grade of Myrtle avenue and Woodhaven boulevard; that all existing buildings, structures and gasoline pumps shall be removed; that the accessory building shall be not over one story in height and shall be located as indicated toward the westerly portion of the plot and shall be arranged for office, lubritorium and auto laundry; that this building shall be constructed of fireproof materials except that the roof beams, roof boarding, door frames and doors, window frames and sash, except those facing westerly, may be of wood, provided the ceiling throughout is fire retarded in accordance with the Rules of the Board of Standards and Appeals and the roof is weather surfaced with non-flammable material; that the boiler room shall be entered from the exterior and shall be seperated from the balance of the building by fireproof construction; that there shall be a brick wall constructed on the southerly interior lot line continuously from Woodhaven boulevard to the westerly lot line; that this brick wall shall not be less than 7 ft. in height except that it may be constructed 4 ft. in height where it meets Woodhaven boulevard, including a 5 ft. return along Woodhaven boulevard street line and be graduated at the rate of 1 ft. in 4 ft. to the 7 ft. height; that along the westerly lot line there shall be constructed a substantial iron picket fence not less than 7 ft. in height; that the areas indicated along the southerly wall and at the corner of Woodhaven boulevard and Myrtle avenue and to the north of the accessory building along Myrtle avenue shall be landscaped and the areas shall be protected by concrete curbing not less than 8 in. in width and 8 in. in height and the boxwood hedge shall be maintained along the street fronts in these planted areas and other suitable planting shall be maintained at all times as approved by the department of parks that the balance of the plot, where not covered by the accessory building walls and planted areas, shall be cement-paved; that gasoline pumps shall be installed not nearer than 21 ft. to the Woodhaven boulevard building line and not nearer than 18 ft. to the Myrtle avenue building line; that the gasoline pumps shall be of the parkway type with masonry pedestals; that entrances to property shall not exceed two (2), one to Woodhaven boulevard not over 43 ft. in width, with curb cut opposite of equal width, and opening and curb cut 40 ft. in width to Myrtle avenue; that no opening shall be nearer to the corner formed by the intersection of Woodhaven boulevard and Myrtle avenue than 10 ft.; that the accessory building and wall shall be constructed of red Colonial face brick with natural mortar joints and of the design as indicated on revised plans marked 'Received May 18, 1937' with building trim painted ivory color and so maintained; that the sloping roofs shall be of slate; that no automobile repairing shall be permitted on the premises; that there shall be no parking of cars other than those being serviced; that no portable tanks shall be used on or from the premises; that all advertising shall be restricted to the illuminated globes of the gasoline pumps and to non-illuminated signs attached to the front of accessory building, excluding all temporary signs and all roof signs, but permitting the erection of post standard within the building line, near the intersection of Woodhaven boulevard and Myrtle avenue, for supporting a non-illuminated sign advertising only the brand of gasoline sold, such sign shall not extend beyond the building line for a distance of more than 4 ft.; that complete working drawings, approved as complying with the requirements of this resolution as amended, may be changed as to the arrangement of the greasing section, so as to permit the installation of hydraulic greasing equipment in place of greasing pits as heretofore approved, and permitting the height of the building to be increased not over two feet, on condition that such increase in height will not change the front elevation.

Resolved further, that the plans approved by the board under date of August 3, 1938, as complying with this resolution, may be further amended as to location of pumps and curb cuts, on condition that no pumps shall be erected nearer than 15 ft. to the street building line of either Myrtle avenue or Woodhaven boulevard; that the curb cuts may consist of two (2) curb cuts to Myrtle avenue and two (2) curb cuts to Woodhaven boulevard, no curb cut to exceed 25 ft. in width, provided the space between curb cuts in each street is not less than 10 ft."

141-37-BZ.

APPLICANT—Twentieth Century Fox-Film Corporation, for The Seamens Bank for Savings, owner.

SUBJECT—Application for consideration—reopening—extension of time to complete work re application (decision of the commissioner of buildings) under section 7c of the building zone resolution, permitting the extension from a business use district into a residence use district of a proposed business building.

PREMISES AFFECTED—447-453 West 53d street, north side, 75 ft. east of Tenth avenue (Block No. 1063, Lot Nos. 5 and 7 and part of Lot Nos. 1 and 2), Borough of Manhattan.

APPEARANCES—

For Applicant: L. B. Steinberg.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(141-37-BZ)

WHEREAS, Frederick A. Kuser, for The Seamens Bank or Savings, owner, filed March 31, 1937, an application nder the building zone resolution to permit in the exten- ion from a business use district into a residence use dis- rict of a proposed business building; premises: 447-453 Vest 53rd street, north side, 75 feet east of 10th avenue Block No. 1063, Lot Nos. 5 and 7 and part of Lot Nos. and 2), Borough of Manhattan; and

WHEREAS, this application was granted by the board pril 27, 1937, on certain conditions, time extended Novem- r 23, 1937, and applicant requested an extension of time.

Resolved, that the Board of Standards and Appeals does ereby *amend* its resolution of April 27, 1937, only so far it has reference to obtaining permits and completion of e work, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use and area district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7-c thereof, to permit the erection of the proposed building in a business use area to extend into a residence use area, as indicated on plans filed with this application, *on condition* that the building shall be constructed fireproof throughout (not exceeding the height shown) and shall be protected by a sprinkler system which may be an extension from the existing sprinkler system in the adjoining building; that the building shall be used as proposed, in conjunction with the use of the motion picture studio building now existing at the southeast corner of 54th street and Tenth avenue and that the use of this proposed building shall continue only so long as such use is continued either by the present lessees or their successors in a similar business; that all permits required shall be obtained and all work involved shall be completed within *two months* from *the date of this action*."

APPEALS FROM ADMINISTRATIVE ORDERS

748-38-A.

APPLICANT—Jack Z. Cohen, for Metal Etching Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—506-516 Wortman avenue and 943-953 Essex street, southeast corner (Block No. 4407, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer and J. Farrell.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Laid over to November 22, 1938, at 2 P. M. for inspection by committee of board.

832-38-A.

APPLICANT—Leonard C. L. Smith, for Green Park Homes, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—South side of Eliot avenue, 626 ft. and 667 ft. west of 84th street (Block No. 2941, Lot No. 1), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: L. C. L. Smith.

For Administration: C. M. McWilliams, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 15, 1938, at 2 P. M., applicant to submit additional information.

983-38-A.

APPLICANT—Progressive Electric and Neon Sign Company, for Topics Tavern, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—845 Second avenue, west side, 25 ft. north of East 45th street (Block No. 1319, Lot No. 23), Borough of Manhattan.

APPEARANCES—

For Applicant: Henry S. Rose and I. Solomon.

For Administration: FredDahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 15, 1938, at 2 P. M., applicant to submit additional information.

766-38-A.

APPLICANT—Henry I. Stetler, lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—402-412 Bleecker street and 291 West 11th street, northwest corner (Block No. 623, Lot Nos. 8 and 10), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(766-38-A)

WHEREAS, Henry I. Stetler, Inc., lessee, for Rockland Co. Trust Co. trustee Estate Henry I. Stetler, owner, filed September 2, 1938, an appeal from an order of the fire commissioner affecting premises 402-412 Bleecker street and 291 West 11th street, northwest corner (Block No. 623, Lot Nos. 8 and 10), Borough of Manhattan; and

WHEREAS, Order No. 1866-LF, issued by the fire commissioner August 9, 1938, reads:

"1. Install an approved wet automatic sprinkler

system in cellar and sub-cellar having at least one source of water supply arranged and equipped as per Art. 16, Ch. 26, Adm. Code."

and

WHEREAS, the building is 5 stories (60 ft.) in height, 130 ft. by 50 ft. in area, of mill construction, located in a business and unrestricted use district, erected about 1890 and occupied for warehouse throughout, 3 persons per floor; and

WHEREAS, the applicant contends that the sub-cellar is only 40 ft. by 44 ft. in area and is located under No. 412 Bleecker street; that the present tenant has occupied the building since 1917 and that compliance with the order at this time would be unnecessary and financially impossible.

Resolved, that the order of the fire commissioner, No. 1866-LF, Item 1, be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that a non-automatic dry system shall be installed throughout the cellar and sub-cellar, complying in all respects with article 16 of the Building Code, except that the thermostatic alarm may be omitted and not more than one siamese need be installed, provided same is located on the wider street and that all pipe fittings shall be of malleable iron.

883-38-A.

APPLICANT—S. Walter Katz, for Gilware Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—North side of 48th avenue between 31st place and 31st street (entire block bounded by 47th and 48th avenues and 31st place and 31st street); (Block No. 281, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: S. Walter Katz and W. E. Winne.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(883-38-A)

WHEREAS, S. Walter Katz, for Gilware Realty Corporation, owner, filed on October 13, 1938, an appeal from an order of the fire commissioner, affecting the block bounded by 47th and 48th avenues, 31st place and 31st street and described as follows: North side 48th avenue between 31st street and 31st place (Block No. 281, Lot No. 1), Long Island City, Borough of Queens; and

WHEREAS, Order No. 72766-LC, issued by the fire commissioner, October 19, 1937, reads:

"Discontinue the maintenance of a storage garage on these premises for the reason that section 151, chapter 10, code of ordinances, prohibits the use of any building for such purposes, wherein dry goods or other highly inflammable materials (furniture storage) are stored.

NOTE: No further examination of your application made."

and

WHEREAS, the said order was repeated in a decision of the fire commissioner, dated September 14, 1938; and

WHEREAS, the building is 5 stories (65 ft.) in height, 576 ft. by 200 ft. in area; of brick construction; equipped with standpipe and sprinkler systems; located in an unrestricted use "A" area, district; erected in 1922 and occupied since 1937 as follows: *Section A*: Cellar—boilerroom and pump room, 5 persons; 1st floor—receiving, 12 persons; 2nd to 5th floors, inclusive—manufacturing and storage, 37, 12, 24, 40 persons, respectively. *Section B*: Cellar—garage, 5 persons; 1st floor—garage, 3 persons; 3rd floor—furniture storage, 4 persons; 4th floor—furniture storage, . persons; 5th floor—furniture storage, 10 persons; fo which Certificate of Occupancy No. 8320 was issued Febru ary 9, 1924; and

WHEREAS, the applicant contends that the portion of th building used for garage is entirely separated from th balance of the building by fireproof walls and floors; tha there is no opening between the two sections of the build ing.

Resolved, that the order of the fire commissioner, No 72766-LC, be and it hereby is *modified* and that the appea be and it hereby is *granted on condition* that the garag portion of the building shall be separated from the bal ance of the building at all points with fireproof construc tion and that the sprinkler and standpipe systems shall b maintained to the satisfaction of the fire commissioner that the garage shall not be further extended in area an that it shall conform in all other respects to all laws, rule and regulations applicable thereto.

900-38-A-WF.

APPLICANT—Jacob J. Gloster, for Clifford-Monroe Mo tors, Inc., owner.

SUBJECT—Appeal from a decision of the borough super intendent of buildings.

PREMISES AFFECTED—33-41 Prince street and 134-0 35th avenue, northeast corner (Block No. 782, pa of Lot No. 46), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: J. J. Gloster.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....

Negative .....

Absent .....

THE RESOLUTION—

(900-38-A-WF)

WHEREAS, Jacob J. Gloster for Clifford-Monroe Motor Inc., owner, filed October 18, 1938, an appeal from a dec sion of the borough superintendent of buildings affecti premises: 33-41 Prince street and 134-03 35th avenue, nort east corner (Block No. 782, part of Lot No. 46), Flushin Borough of Queens; and

WHEREAS, the decision of the borough superintendent buildings, N.B. Application No. 7492-38, dated Septemb 29, 1938, reads:

"Parking of cars within limits of Fair Ground ar is contrary to City Ordinance."

and

WHEREAS, the plot is 206 ft. 8 in. by 259 ft. 7 in., irreg lar in area, located in an unrestricted use district, up which it is proposed to reconstruct an existing gasoli station and a motor vehicle repair shop on the southe 100 ft. and to occupy the northerly 150 ft. as a parki space; and

WHEREAS, applicant contends that the plot has been use as a parking lot for more than 12 years; that the pl is in the business section of Flushing and a considera distance from the Worlds Fair grounds and that the u proposed is a permanent use.

Resolved, that the decision of the borough superintende acting on App. No. 7492-38. be and it hereby is *modified* a that the appeal be and it hereby is *granted on conditi* that no signs shall be erected on the premises advertisi the proposed parking use, other than a neat sign near t entrance, attached to a post standard, not over 15 feet height, supporting a sign advertising the parking use o and not exceeding 30 square feet in area.

907-38-A.

APPLICANT—Berwick Transporters, Inc., owner truck.

MINUTES

SUBJECT—Appeal from an order of the fire commissioner re: Transportation of liquid asphalt in semi-trailer truck, not of approved type, in New York City.

APPEARANCES—

For Applicant None.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Absent 0

THE RESOLUTION—

(907-38-A)

WHEREAS, Berwick Transporters Inc., owner of truck, filed on October 18, 1938, an appeal from an order of the fire commissioner relating to the transportation of liquid asphalt in New York City in excess of 3,000 gallons in a semi-trailer truck, not of the approved type; and

WHEREAS, the order of the fire commissioner, No. 14228-LC, dated September 16, 1938, reads:

"An inspection of truck No. 2 on a G.M.C. chassis No. 129, used by you for the transportation of any liquid product of petroleum, shale oil or coal tar, as required by Chapter 19, Title C, Part 1, Art. 10, of the Administrative Code of the City of New York, shows the following requirements necessary before a permit can be issued:

1. Discontinue the transportation of oil in excess of 3,000 gallons capacity. Sec. 4.1.
2. File a sworn statement signed by the Chief Engineer that said chassis is sufficiently strong to carry the superimposed weight for which it is designed, and that it is of sufficient stability at all times while stationery or in motion in traffic to be a safe vehicle on the highways, and that adequate brakes are provided on all wheels. Sec. 17.3."

nd

WHEREAS, it is proposed to use a semi-trailer type of ·uck with a tank having a capacity of 4,250 gallons; the ank is constructed of No. 10 gauge steel and the tank eads are 3/16 in. steel; and

WHEREAS, the applicant contends that it is proposed to se its G.M.C. Truck, Model T85A, Serial No. 129-1921, pon which the manufacturer has placed a rating of 26,000 s., consisting of chassis, equipment and payload comned, for the transportation of liquid asphalt between the tandard Oil Co.'s plant in Bayonne, New Jersey, and the llowing plants: Standard Varnish Co., Richmond Terce, Staten Island, N. Y. by way of Bayonne Bridge to ichmond terrace to Morning Star road to Forest avenue id Goethals Bridge to Linden, New Jersey; Coal Tar roducts Co., 570 Smith street, Brooklyn, by way of Holnd Tunnel, Canal street, Manhattan Bridge, Flatbush enue—4th avenue to 13th street and Smith street; Anchor aint & Varnish Co., 73rd avenue and 88th street, Glenle, Queens, by way of Holland Tunnel, to Williamsburg idge, Grand street to Metropolitan avenue and 88th eet; that the product in transportation has a flashpoint 150° F. and deliveries are direct to one customer; that e use of the 4,250 gallon tank truck permits satisfying customers' requirements by one or two deliveries per ek, whereas, if a 3,000 gallon tank truck was used, four ps per week would be required; and

WHEREAS, the board deemed that the Administrative Code all be complied with.

Resolved, that the order of the fire commissioner, No. 228-LC, be and it hereby is *affirmed*, and the appeal be l it hereby is *denied*.

-38-A.

PPLICANT—Walter E. Ousterman of Firm of Leonard J. Carpenter, for Charity Organization, House of Rest at Sprain Ridge and Tuskegee Institute, owners—Bank of New York, trustee.

SUBJECT—Appeal from an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—696-702 Broadway, northeast corner of Fourth street (Block No. 545, Lot No. 1), Borough of Manhattan.

APPEARANCES—

For Applicant: Walter E. Ousterman.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(916-38-A)

WHEREAS, Walter E. Ousterman, for Charity Organization, House of Rest at Sprain Ridge and Tuskegee Institute, owner, Bank of New York, trustee, filed on October 24, 1938, an appeal from an order and decision of the borough superintendent, Dept. of Housing and Buildings, affecting premises 696-702 Broadway, northeast corner Fourth street (Block No. 545, Lot No. 1), Borough of Manhattan; and

WHEREAS, the order of the borough superintendent, Violation No. 1988-38, issued April 19, 1938, reads:

"You are hereby notified that the building situated on the front of the lot on the east side of Broadway commencing about . . . ft. from the northeast corner of E. 4th street and Broadway, being a cel. 8 story fireproof building about 73.4 feet front, 73.4 feet rear, 135 feet deep, and 100 feet in height and occupied as a factory and known as Number 696 Broadway in the Borough of Manhattan, in The City of New York, does not conform to section 10.7.1. of the building code, section C26-649.0 Admin. Code in the respects noted below:

In that iron shutters protecting windows at north end of building are defective, contrary to law.

You are hereby directed to properly repair, scrape and paint the defective iron shutters at once."

and

WHEREAS, the said order was referred to in a decision of the borough superintendent, dated October 3, 1938; and

WHEREAS, the building is 8 stories (116 ft. 10 in.) in height, 73 ft. 4 in. by 135 ft. in area; of fireproof construction; equipped with sprinkler and standpipe systems; erected in 1890; located in an unrestricted use district and occupied as follows: Cellar—Cloth printing, 5 persons; 1st floor—retail store, 5 persons; 2nd floor—manufacturing hats and caps, 20 persons; 3rd floor—manufacturing straw hats, 40 persons; 4th floor—manufacturing ladies underwear, 60 persons; 5th floor—manufacturing men's clothes, 80 persons; 6th floor—manufacturing gift cases, 30 persons; 7th floor—printing cloth, 30 persons; 8th floor—manufacturing men's clothes, 135 persons; and

WHEREAS, the applicant contends that the building is 100% sprinklered; that there are no hazardous occupancies; that windows are protected by sprinkler heads; that there is no actual exposure to the adjoining building, except above the roof of adjoining building, which roof is of concrete construction; there is, however, a single line of windows exposed on a diagonal line to one row of windows at the rear of No. 9 East 4th street, which building is fully sprinklered and protected by iron shutters.

Resolved, that the order of the borough superintendent, No. 1988-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, waiving the requirements for fireproof windows or exterior steel shutters, *on condition* that the sprinkler system in the building under appeal shall be maintained in compliance with all requirements and to the satisfaction of the fire commissioner and that there shall be a sprinkler head not more than 4

ft. distant from each window overlooking the roof of the adjoining building on East 4th street; and, *granted* only so long as the building on East 4th street is also protected with a sprinkler system maintained to the satisfaction of the fire commissioner.

952-38-A.

APPLICANT—John H. Derby, for Metropolitan Life Insurance Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—8 West 26th street and 1131-1137 Broadway, southwest corner (Block No. 827, Lot No. 49), Borough of Manhattan.

APPEARANCES—

For Applicant: John H. Derby.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(952-38-A)

WHEREAS, John H. Derby, for Metropolitan Life Insurance Company, owner, filed on October 28, 1938, an appeal from a decision of the borough superintendent, affecting Premises 8 West 26th street, and 1131-1137 Broadway, southwest corner (Block No. 827, Lot No. 49), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated October 17, 1938, reads:

"This department is without authority to approve for use in openings to required means of egress, doors equipped with a device which will hold the door in an open position until closed by heat actuated device.

The building code requires that such doors be fireproof and self-closing.

Your request for approval of a heat actuated, automatic fire door closer and check on doors which are required to be self-closing is hereby denied. The only body vested with authority to approve a device of this nature for the conditions described is the Board of Standards and Appeals of the city of New York."

and

WHEREAS, the building is 16 stories (208 ft. 2 in.) in height; 94 ft. 4⅜ in. by 109 ft. 1 in. in area; of fireproof construction; equipped with a standpipe system; located in a business use "B" area district; erected in 1908 and occupied as follows: Cellar—storage, kitchen and motor room, 11 persons; 1st floor—stores, 30 persons; 2nd to 16th floors—offices, 88 persons per floor; and

WHEREAS, the applicant contends that the present practice of furniture movers, delivery people or porters, who wish to hold open a door that is provided with an automatic door closer, is to place a wedge under the door, thereby preventing the door from closing if a fire should occur; that the heat actuated automatic door check and closer obviates this difficulty by permitting the door to be held open without wedging and to do the thing it is intended to do; that is, shut off the opening when a fire occurs; the principle upon which this device is designed is similar to that of the ordinary approved automatic sprinkler; in place of discharging water, this device permits a stainless steel plunger to move, thereby releasing the door so that the automatic door closer can function.

Resolved, that the decision of the borough superintendent dated October 17, 1938, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* permitting the double doors separating the corridors from the central lobby in which the elevators and stair are located on all floors from the 3rd to the 16th, to be equipped with door closing devices with a fusible attachment as proposed, *on condition* that in all other respects the exits shall meet the requirements of all laws, rules and regulations applicable thereto.

961-38-A.

APPLICANT—Harry H. Eades for Reynolds Metal Company, for Tehama Building Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED — 40-62 Tehama street, north side, 375 ft. east of Chester avenue (Block No. 5307, part of Lot No. 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed for lack of prosecution.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(961-38-A)

WHEREAS, Harry H. Eades of Reynolds Metal Company, for Tehama Building Corporation, owner, filed on November 1, 1938 an appeal from a decision of the borough superintendent of buildings, affecting premises: 40-62 Tehama street, north side, 375 ft. east of Chester avenue (Block No. 5307, part of Lot No. 27), Borough of Brooklyn; and

WHEREAS, there was no appearance for the applicant, when this case was called for hearing.

Resolved, that the appeal be and it hereby is *dismissed* for lack of prosecution.

990-38-A.

APPLICANT—Consolidated Expanded Metal Company, for Baxton Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—40-37 Hampton street, north side, 250 ft. west of Britton avenue (Block No. 1504, part of Lot No. 62), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Charles Rattner.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....

Negative .....

Absent .....

THE RESOLUTION—

(990-38-A)

WHEREAS, Consolidated Expanded Metal Company for Baxton Realty Corporation, owner, filed November 5, 1938 an appeal from a decision of the borough superintendent of buildings affecting premises 40-37 Hampton street, north side, 250 ft. west of Britton avenue (Block No. 1504, part of Lot No. 62), Elmhurst, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings N.B. 5912-1938, dated November 4, 1938, reads:

"The use of Jumbo Expanded Metal Reinforcing lath is contrary to section 8.4.10.3 of the Building Code."

and

WHEREAS, the building will be 6 stories (63 ft.) in height 120 ft. by 115.05 ft. in area, of non-fireproof construction located in a residence use, "B' area district and occupied

throughout as a Multiple Dwelling; it is proposed to use Jumbo Expanded Metal Reinforcing as a plaster base throughout building; and ,

WHEREAS, the applicant contends that tests have indicated that Jumbo Expanded Metal Re-inforcing can be classified as incombustible inasmuch as tests have indicated that the paper backing has been treated to render it not readily burnable.

Resolved, that the decision of the borough superintendent, acting on N.B. Application No. 5912-38 be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the plaster shall be carefully troweled to insure adequate keying and that in all other respects the lath shall be installed in accordance with the requirements for metal lath except that "lacing" may be omitted.

991-38-A.

APPLICANT—Consolidated Expanded Metal Company, for Baxton Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—40-49 Hampton street, north side, 370 ft. west of Britton avenue (Block No. 1504, part of Lot No. 62), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: Charles Rattner.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(991-38-A)

WHEREAS, Consolidated Expanded Metal Company, for Baxton Realty Corporation, owner, filed November 5, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises 40-49 Hampton street, north side, 370 ft. west of Britton avenue (Block No. 1504, part of Lot No. 62), Elmhurst, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings on N. B. Application No. 6184-1938, dated November 4, 1938, reads:

"The use of Jumbo Expanded Metal reinforcing lath is contrary to section 8.4.10.3 of Building Code."

and

WHEREAS, the buildnig will be 6 stories (63 ft.) in height, 115 ft. by 120 ft. in area, of non-fireproof construction, located in a residence use, "B" area district and occupied throughout as a multiple dwelling; it is proposed to use Jumbo Expanded Metal Reinforcing as a plaster base throughout the building; and

WHEREAS, the applicant contends tests have indicated that Jumbo Expanded Metal Reinforcing can be classified as incombustible inasmuch as tests have indicated that the paper backing has been treated to render it not readily burnable.

Resolved, that the decision of the borough superintendent, acting on N. B. App. No. 6184-38, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the plaster shall be carefully troweled to insure adequate keying and that in all other respects the lath shall be installed in accordance with the requirements for metal lath, except that "lacing' may be omitted.

346-38-A.

APPLICANT—Oscar Goldschlag for M. & H. Realties, Incorporated, lessee.

SUBJECT—Application for consideration — reopening — amendment of resolution re appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2473-2475 Broadway and 252-254 West 92nd street, southwest corner (Block No. 1239, Lot No. 55), Borough of Manhattan.

APPEARANCES—

For Applicant: Oscar Goldschlag and Morris Haynes.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(346-38-A)

WHEREAS, Oscar Goldschlag, for M. & H. Realties, Inc., lessee, filed on May 9, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 2473-2475 Broadway and 254 West 92d street, southwest corner (Block No. 1239, Lot No. 55), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alt. App. 831-38, dated May 6, 1938, reads as follows:

"27—Means of egress may not be reduced. Note elimination of existing 6 ft. wide stairway. Same is unlawful unless exits conform to 6.1.2 Building Code, Section 6.1.6 Building Code."

and

WHEREAS, the building is two stories, 35 feet, in height, 50 ft. by 100 ft. in area, of nonfireproof construction located in a business use district; erected in 1930 and to be occupied as follows: Cellar—boiler room and storage—no persons; 1st floor—stores and restaurants, 260 persons; 2nd floor—offices and showrooms, 75 persons; and

WHEREAS, certificate of occupancy No. 18916 permits the occupancy of the building as follows: Cellar—storage, 10 persons; 1st floor—store, 75 persons; 2nd floor—restaurant with dancing, 250 persons; mezzanine-restaurant, 70 persons; and

WHEREAS, this appeal was denied by the board, June 1, 1938, and applicant requested a reopening of the case, on the basis of an objection dated, June 21, 1938, reading similar to above objection of May 6, 1938, and a reduction of occupancy to 75 persons above 1st story; and

WHEREAS, this appeal was granted by the board July 12, 1938, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend the resolution of July 12, 1938, so that as amended it shall read:

"*Resolved*, that the decision of the borough superintendent, in acting on Alt. App. No. 831-38, dated May 6, 1938, as reissued June 21, 1938, Objection No. 29 be and it hereby is *modified*, permitting the removal of the stairway leading to Broadway, *on condition* that the existing 6-ft. stairway at the rear shall be maintained; that the 2d floor shall be used for offices and showroom only with a total occupancy of not over 75 persons; that there shall be no connection between the restaurant on the 1st floor and the 2nd floor; *on further condition*, in the event of a restaurant or other occupancy deemed by the Superintendent to be of a public nature or hazardous, the legal second means of exit shall be restored *and except that if it is desired to use a portion of the second floor as a billiard room and the balance for offices, that such use may be permitted, on condition that the stairway at the west end of building shall be maintained as shown with fireproof enclosure, leading directly to West 92d street and also leading to the roof, provided there is also installed toward the Broadway frontage of the building an iron stair not less than 3 ft. wide and which may be unenclosed, leading to the roof through a legally enclosed bulkhead; and granted only so long as an escape is possible from the roof of*

the building under appeal to adjoining roofs, and that in all other respects all laws, rules and regulations applying to this building and occupancy shall be complied with."

APPLIANCE SUBMITTED FOR APPROVAL

605-38-SA.
APPLICANT—General Electric Company, owner.
SUBJECT—General Electric Oil Burner, Models LA-3 and LA-6, approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—
(605-38-SA)

WHEREAS, the General Electric Company, owner, filed July 12, 1938, an application with the Board of Standards and Appeals for approval of the device known as the General Electric Oil Burner, Models LA-3 and LA-6; and

WHEREAS, this device was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board, supplemented by that of the representatives of the division of combustibles of the fire department was substantially as follows:

These burners are of the standard GE type, namely, pressure atomizing, and are constructed along the same lines as all GE burners.

The model of the burners used on these two boiler burner units differs in no respect from the burner already approved by the Board of Standards and Appeals. The controls are identical, with the exception that in the two models mentioned above, a low water cut off has been incorporated in the boiler and an electrical control between the motor and the oil valve.

This new motor control was tested and it was found that when the motor ceased to operate, the oil valve is automatically closed, preventing any abnormal flow of oil into the burner.

As a result of this inspection and test, it is therefore recommended that the General Electric Oil Burner, Models LA-3, LA-6 be approved for domestic and commercial installations, when installed in accordance with the oil burner rules adopted by the Board of Standards and Appeals, with fuel oil not heavier than No. 3, U. S. Dept. of Commerce Standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the General Electric Oil Burner, Models LA-3 and LA-6, for use in domestic and commercial installations with fuel oil not heavier than No. 3 U. S. Dept. of Commerce Standards, when installed in accordance with the oil burner rules of the Board of Standards and Appeals and with the above report, *on condition* that the device shall bear a label permanently affixed thereto reading:

Approved by the
Board of Standards and Appeals
for Use in New York City
Under Cal. No. 605-38-SA.

MATERIALS SUBMITTED FOR APPROVAL

743-38-SM.
APPLICANT—Celcure Southern Corporation, owner.
SUBJECT—Celcure Acid Cupric Chromate (Wood Preservative)—approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Application withdrawn.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

744-38-SM.
APPLICANT—Celcure Southern Corporation, owner.
SUBJECT—Celcure Acid Cupric Chromate (Pressure Impregnated Wood Preservative)—approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Material approved in accordance with report of the committee on tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—
(744-38-SM)

WHEREAS, the Celcure Southern Corporation, owner, filed August 25, 1938, an application with the Board of Standards and Appeals for approval of the material known as Celcure Acid Cupric Chromatic for treatment and impregnation of lumber; and

WHEREAS, this material was submitted to the Committee on Tests of the board for report; and

WHEREAS, the report of the Committee on Tests was as follows:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. No. 744-38-SM.
Subject: Celcure Acid Cupric Chromate (Treated Lumber and Impregnated Lumber):

The Celcure Southern Corporation of New York filed with the board a request for the approval of their material, known as CELCURE, which is used as a wood preservative, under C26-191.0 AC (2.2.3 BC).

CELCURE is an Acid Cupric Chromate preservative mixture, consisting of approximately 90% water plus 10% active ingredients of copper sulphate plus chromic acid and form insoluble salts in water with ligno cellulose, which is impregnated into lumber under pressure temperature and time conditions, resulting in an absorption by volume of at least 25 lbs. of CELCURE mixture per cubic foot of lumber with a concentration of the Acid Cupric Chromate (CELCURE) processing mixture sufficient to result in a net retention of 1¼ lbs. of dry Acid Cupric Chromate chemical salts per cubic foot of piling, treated in accordance with the requirements of Federal Specifications for this method of wood treatment, and ¾ lb. for all other work. Before pressure is released, sufficient excess absorption is to be obtained so that when a quick vacuum is applied the net volumetric absorption is maintained.

CELCURE is permanent, non-leaching and odorless. Tests performed on this material by Prof. M. E. Smith at Worcester Polytechnic Institute and experience data submitted by the applicant indicate that the material known as CELCURE resists the attack of fungus, dry rot and termites.

On the basis of this data, the Committee recommends the approval of CELCURE (Acid Cupric Chromate) under C-26-191.0 AC (2.2.3 BC) for use wherever such protection may be voluntarily required, there being no specific provision of the code requiring the use of wood preservatives provided that the wood to be treated is kiln dry and that no less than 1¼ lbs. of dry CELCURE (Acid Cupric Chromate) salts per cubic foot

of piling and no less than ¾ lb. on other work are retained. It is further recommended that each piece of lumber so treated shall be marked "Impregnated with CELCURE (Acid Cupric Chromate) as Approved by the Board of Standards and Appeals under Cal. No. 744-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Celcure Acid Cupric Chromate for voluntary use in New York City for impregnation of lumber, *on condition* that the material be used and the lumber treated and labelled in accordance with the above report.

880-38-SM.

APPLICANT—H. P. Hayden, for Thompson Materials Corporation, owner.

SUBJECT—Ritecure-Impervious Membrane Curing Compound—approval of.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of the committee on tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(880-38-SM)

WHEREAS, H. P. Hayden, for Thompson Materials Corporation, owner, filed October 13, 1938, an application with the Board of Standards and Appeals for approval of the material known as Ritecure (Impervious Membrane Curing Compound for Concrete); and

WHEREAS, this material was submitted to the committee on tests of the board for report; and

WHEREAS, the report of the committee on tests was as follows:

Re: Cal. 880-38-SM
Subject: Ritecure Method for Curing Concrete

REPORT OF COMMITTEE ON TESTS

The Johnson-March Corp. of New York, filed with the board a request for the approval of their material, known as Ritecure, under C-26-502.0, sub. c. A.C. (8.5.34 B.C.), which provides that "Concrete shall be kept moist for a period of at least seven days after being deposited." Ritecure, as hereinafter described, is a material offered by the applicant which is claimed will prevent dehydration of the concrete for at least that period of time as required by the code.

Ritecure is a substantially colorless lacquer consisting of a solution of gums and resins in a volatile solvent, of which the major solid ingredient is of acidic nature which, upon application to the alkaline surface of the concrete, forms a chemical bond therewith and insures adhesion to the concrete for about 30 days in a continuous coherent lacquer film in 12 minutes after application to formed concrete. Ritecure is composed of the following chemical and physical characteristics:

Specific gravity at 64° F. ..... 0.87 to 0.89
Viscosity, Saybolt Universal at 64° F. ..... 50 to 75 seconds
Total Solids (by evaporation at 220° F.) ..... Not less than 45% by weight
Color ..... Light straw yellow
Freezing Point ..... Below 0° F.

This material is applied to all exposed structural concrete surfaces immediately (within 1 hour) after stripping of forms, and to all freshly poured and finished monalithic surfaces not requiring forms immediately on finishing, and stucco. Whenever Ritecure is used, it is applied at the rate of a gallon for each 30 square yards of area to be so protected. This material is applied by means of approved pressure spraying equipment operating at a pressure of at least 90 lbs./sq. in. When applied in this manner, Ritecure forms a flexible transparent membrane over the concrete (which seals in the mixing water) and thus insures the complete hydration of the Portland cement and prevents initial shrinkage of the concrete prior to the development of its strength.

The applicant has filed a list of experience data and including tests on concrete and mortar, as made at Columbia University. (A copy of the test report is filed with this application.) These tests indicate that concrete cylinders coated with Ritecure, immediately after molding develop a strength nearly equal to that of moist room curing conditions, with a decrease in strength of only 2.3 and 6.3 per cent at 14 and 28 days, and that a greater utilization of the water in hydration by the cement is obtained. The strength of the Ritecure specimens closely approximate those of moist room cured conditions.

This material has been used on the Triborough, Whitestone Bridge and for several years by the Board of Education, Pittsburgh, with satisfactory results.

On the basis of these data and tests, the committee recommends the approval of Ritecure as a substitute method of curing concrete, under C-26-502.0, sub. c. A.C. (8.5.34 B.C.), provided that Ritecure is to be applied immediately (within 1 hour) after the forms are stripped from structural concrete, and immediately over the finish of surfaces, such as floors, driveways, stucco and other concrete work not requiring forms.

Ritecure, when applied, shall be by spraying with a pressure of not less than 90 lbs./sq. in. Wherever bonding of joints or surfaces (floor finishes) covered with Ritecure is to be made, the Ritecure shall be removed by sand blasting, and the surfaces to be bonded are to be thoroughly cleansed and moistened prior to the application of grout or other concrete.

It is further recommended that each container of Ritecure be stamped or labelled "Approved for use in New York City by the Board of Standards and Appeals under Cal. 880-1938-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, That the Board of Standards and Appeals does hereby *approve* the material known as Ritecure, as a substitute method for curing concrete, when manufactured, used and labelled in accordance with the above report.

Adjourned, 4:20 P. M.

EDWARD V. BARTON, Chief Clerk.

Copies of the Official Directory of the City of New York for the year 1938 (The Little Green Book), containing the latest authentic information in relation to City, State and Federal Departments, Bureaus, Offices and Courts, are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50 cents; by mail, three cents per copy must be added for postage.

RULES

EXTRACTS FROM CHAPTER 19, ARTICLE 18 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

ARTICLE 1.
General Provisions.

§C19-2.0. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

34. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condensor, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third (3⅓), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to a system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

(v) Public buildings, commercial buildings and residence buildings are buildings as so defined by Article 4, C26-235.0 of the Administrative Code of the City of New York.

(a) **Public Buildings.** Public buildings are structures or parts of structures in which persons congregate for civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, club houses with more than five sleeping rooms dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

(b) **Residence Buildings.** Residence buildings are structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including multiple dwellings as defined in the Multiple Dwelling Law.

(c) **Commercial Buildings.** Commercial buildings are structures or parts of structures, which are not public buildings or residence buildings, including among others office buildings, factory buildings, salesrooms (stores) markets, restaurants, warehouses, freight depots, car barns stables, garages, motor vehicle repair shops, factories laboratories, smoke houses, grain elevators, coal pockets central station power plants and electric sub-stations.

ARTICLE 3.
Bonds and Fees.

§C19-24.0. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:

Class A systems	$20.00
Class B systems	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant	1.00

ARTICLE 18.
Refrigerating Systems.

C19- 96.0. Permits.
C26-214.0. Supervision.
C19- 97.0. Classification.
C19- 98.0. Permissible locations.
C19- 99.0. Refrigerating machinery rooms and ventilation
C19-100.0. Open flames and electrical equipment.
C19-101.0. Testing.
C19-102.0. Piping.
C19-103.0. Safety devices.
C19-104.0. Size of safety devices.
C19-105.0. Location and discharge of safety devices.
C19-106.0. Operating precautions.
C19-107.0. Equipment diagrams.

§C19-96.0. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 also dichlorotetrafluoroethane ("F-114") $C_2Cl_2F_4$ and monofluorotrichloromethane ("F-11" $CFCl_3$ are non-flammable and non-irritant, unless otherwise hereinafter provided, and shall be regulated in accordance with the provisions of Article 18 of Chapter 10 of the Code of Ordinances, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11; F-12 or F-114 are restricted to parts of a building so specified in Section 219 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11; F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section 219 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11; F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11; F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in dict kitchens where these refrigerants are used shall be vented to the outside air as herinafter required in Paragraph 8.

6. That refrigerating systems employing F-11; F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11; F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11; F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens in hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, railways, passenger depots, rooms opening into passenger boats and/or subways and such other places as are decmed by the Fire Commissioner nccessary in the interest of public safety.

9. That each refrigerating machinery room in any building in which F-11; F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section 220-1-(a).

10. That each refrigerating machinery room in which F-11; F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section 220-a-b-c and d.

11. Tests pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section 222 (a) as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One ½ inch
30 to 60 "	One ¾ "
60 to 100 "	One 1 "
100 to 175 "	One 1¼ inches
175 to 250 "	One 1½ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section 227-3 (e) for other refrigerants.

14. That all other sections or parts of Article 18 of the Refrigerating Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§C26-214.0. Refrigeration System Operators; Certificate of Qualification.

(a) It shall be unlawful to maintain or operate in any building any refrigerating system containing more than fifty (50) pounds of refrigerant except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system. Where the system contains two hundred (200) pounds or less of refrigerant and is fully automatic, only one qualified operator will be required.

(b) It shall be unlawful to maintain or operate in a public building or exhibition hall any Class C system permitted for exhibition or demonstration purposes except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee $5, and for renewal thereof the sum of $1 provided application for such renewal be made for within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the superintendent.

§C19-97.0. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and more the amounts provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

§C19-98.0. Permissible Locations.

(a) It shall be unlawful to install any Class A or Class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building provided a non-irritant and non-flammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(c) It shall be unlawful to use brine in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) It shall be unlawful to install or maintain a Class A system using ammonia in any building above the first floor level unless such building is used exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) It shall be unlawful to install or maintain a refrigerating system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits or auditoriums of any building;
2. Dance halls, court rooms, police stations, jails, subways, theatres, or motion picture theatres;
3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;
4. Rooms opening directly into a subway, or theatre, or motion picture theatre, or where persons are detained or confined;
5. A school unless the refrigerating system is used exclusively for instructions or research purposes;
6. A hospital or asylum in which persons are confined or given medical treatment or helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction.

The foregoing provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydrocarbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating m chinery room shall be cut off from the rest of the buildi by unpierced fireproof walls of not less than eight inch (8″) of brick or six inches (6″) of reinforced concre Direct exit therefrom leading to the open air and not any other part of the building shall be maintained a shall be provided with vapor-tight, self-closing, firepro doors.

§C19-99.0. Refrigerating Machinery Rooms a Ventilation.

a. Refrigerating machinery rooms.

1. All refrigerating machinery rooms in which irritant refrigerant is used shall be maintained vapor-tig except that all doors which open to other parts of t building shall only be required to be self-closing and cl fitting, and shall be kept closed at all times, except duri entrance or exit. All other openings that may permit t passage of vapor to other parts of the building shall vapor-tight and kept closed. No opening from elevat shafts shall be permitted in the refrigerating machin room. This provision, however, shall not apply to dum waiter shafts the door openings of which are protect with self-closing fire doors or to a system containing l than six (6) pounds of refrigerant. Closets solely c tained within and opening only into the refrigerating m chinery room shall be considered as part of the room which it opens.

2. In Class A and Class B systems in which an ir tant refrigerant is used, the doors of the refrigerati machinery rooms shall open outwardly.

b. Ventilation.

1. Each Class A, B and C refrigerating machin room of any system shall be independently provided w means for adequate ventilation to the outer air. The v tilation shall consist of a window or windows open directly to the open air, or mechanical means capable exhausting the foul air from the room.

2. When a window or windows are used, if placed opposite walls so as to provide a through air circulation the outer air, a total area of inlet and outlet, respectiv of not less than that specified in Column D of the table subdivision 4 shall be provided. When a window windows are placed in one wall a total area shall be p vided not less than that specified in column E of s table.

3. When mechanical means are used they shall con of a power-driven exhaust fan of the enclosed case blo type which shall be capable of removing from the refr erating machinery room the amount of air specified in c umn B of the table in subdivision 4. The inlet to the shall be located near the refrigerating equipment. The o let from the fan shall terminate not less than six (6) f above the sidewalk and in no case under a stairway or escape. Where air ducts are used on either the inlet discharge side of the fan they shall each have an area less than that specified in Column C of such table. Sh bends in the run of the ducts shall be avoided. The c trol for such mechanical means of ventilation shall easily accessible and located outside of the refrigerat machinery room.

4.

	Pounds of Refrigerant in System.	Mechanical Cu. Ft. per Minute Discharge.	Window Area Mechanical Sq. Ft. Duct Area.	Window Area in Sq. Ft. for each Opposite Side.	Window A in Sq. Ft. One Side Only.
	A	B	C	D	E
Up to ...	20	150	1/4	1	6
	50	250	1/3	1 1/2	12
	100	400	1/2	2	16
	150	550	2/3	2 1/2	19
	200	680	2/3	3	25
	250	800	1	3 1/2	29
	300	900	1	4	32
	400	1,100	1 1/4	4 1/2	38
	500	1,275	1 1/4	5	42

600	1,450	1 1/2	6	45
700	1,630	1 1/2	6 1/2	48
800	1,800	2	7	51
900	1,950	2	7 1/2	55
1,000	2,050	2	8	59
1,250	2,350	2 1/4	9	68
1,500	2,800	2 1/2	11	78
1,750	3,150	3	12 1/2	87
2,000	3,500	3 1/2	14	95
2,500	4,150	4	16	113
3,000	4,500	4 1/2	18	130
4,000	6,000	6	24	167
5,000	7,500	7 1/2	30	204
6,000	9,000	9	36	241
7,000	10,500	10 1/2	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,500	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings leading directly to the open air ıall be considered equivalent to windows for the require-ents specified in columns "D" and "E" of this table.

5. Where a non-irritant or nonflammable refrigerant employed, the requirements as given in the table in sub-vision 4 may be reduced by one-half. When air or water employed as the refrigerant no ventilation shall be re-ıired.

6. In lieu of mechanical means of ventilation in re-igerating machinery rooms where a Class A system a Class B system using ammonia is installed, a ater deluge may be provided which shall consist of a rinkler system having open heads of not less than e-quarter inch (¼") orifice spaced not more than eight et apart in any direction, and such system shall be ated above all the refrigerating apparatus and piping the refrigerating machinery room. Not more than one lad shall be installed on a ¾-inch pipe; five heads on a lnch pipe; six heads on a 1¼-inch pipe. The deluge sys-tn shall be permanently connected with the main house pply or other assured source from which a constant ter pressure of not less than twenty pounds per square h can be maintained on the inlet side of the main con-ol valve or valves at all times. The control valve or ves for such water deluge system shall be manually rated and easily accessible, and shall be labeled and ated outside of the refrigerating machinery room.

§19-100.0. Open Flames and Electrical Equipment.

a. Open flames.

No fire-flame or arc light will be permitted in a Class A B refrigerating machinery room in which a flammable rigerant is used.

b. Electrical equipment.

All Class A and B refrigerating systems containing re than fifty (50) pounds of refrigerant shall have an rgency switch controlling all of the electrically-oper-l refrigerating machinery or the remote control of h a switch located outside of the refrigerating machin-room where it can be quickly reached and operated in of necessity.

Where the operating mechanism in any system is endent upon electrical control, such control in a pressure ting device shall be on a closed circuit. Nothing herein tained shall require a hand reset on an automatic type efrigerating machine.

§C19-101.0. Testing.

Every part of any refrigerating system, except pressure gauges and control mechanism shall be tested to at least the following pressures: Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant.	Col. 1. High Pressure Side.	Col. 2. Low Pressure Side. With Safety Valves.	Col. 3. Low Pressure Side. Without Safety Valves.
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§C19-102.0. Piping.

a. Piping.

1. All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

2. The arrangement of stop valves, relief devices, and other similar devices, when used shall be as shown on the diagram for Class A and B systems in section C19-107.0 of the code.

3. Every system which may be charged after installation shall have the charging connection located on its low pressure side.

b. Gauge glasses.

Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§C19-103.0. Safety Devices.

a. Construction and setting.

1. Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure from exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section C19-101.0 of the code, columns 1 and 2 of table.)

2. Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

b. Use of stop valves.

1. It shall be unlawful to locate a stop valve between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

2. A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

c. Ammonia mixer.

1. The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

2. The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

3. It shall be unlawful to locate a valve in the ammonia

emergency discharge line, except for the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

4. The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled with letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

5. A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch high reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

6. The fire department shall have sole use of the mixer and supply the necessary water.

7. In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

8. The ammonia mixer and its connection for a Class A system shall conform to the diagram in section C19-107.0 of the code.

§C19-104.0. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System.	CO_2 and Ethane, No. Req., Size.	Other Refrigerants, No. Req., Size.
Up to 30 tons.....	1—½"	1—½"
30 to 60 tons.....	1—½"	1—¾"
60 to 100 tons.....	1—½"	1—1"
100 to 175 tons.....	1—½"	1—1¼"
175 to 250 tons.....	1—¾"	1—1½"
250 to 450 tons.....	1—1"	1—2"
450 to 900 tons.....	.....	2—2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

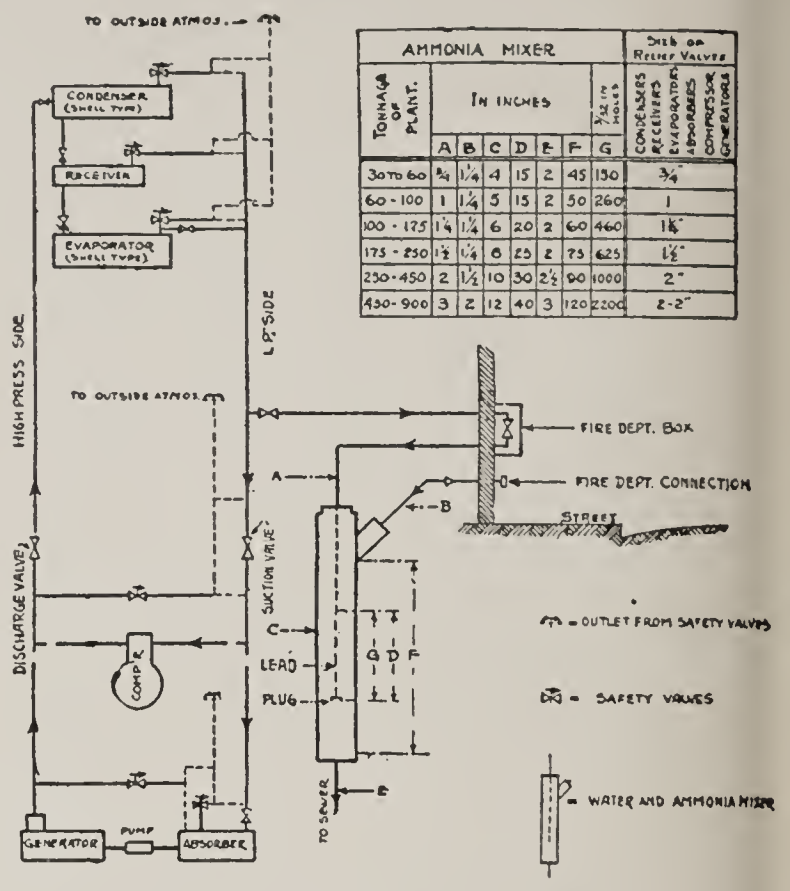
§C19-105.0. Location and Discharge of Safety Devices.

a. Location.

A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of part 1, of this title, to the contrary notwithstanding.

b. Location and discharge of safety devices.

1. Each compressor or generator of a Class A or B

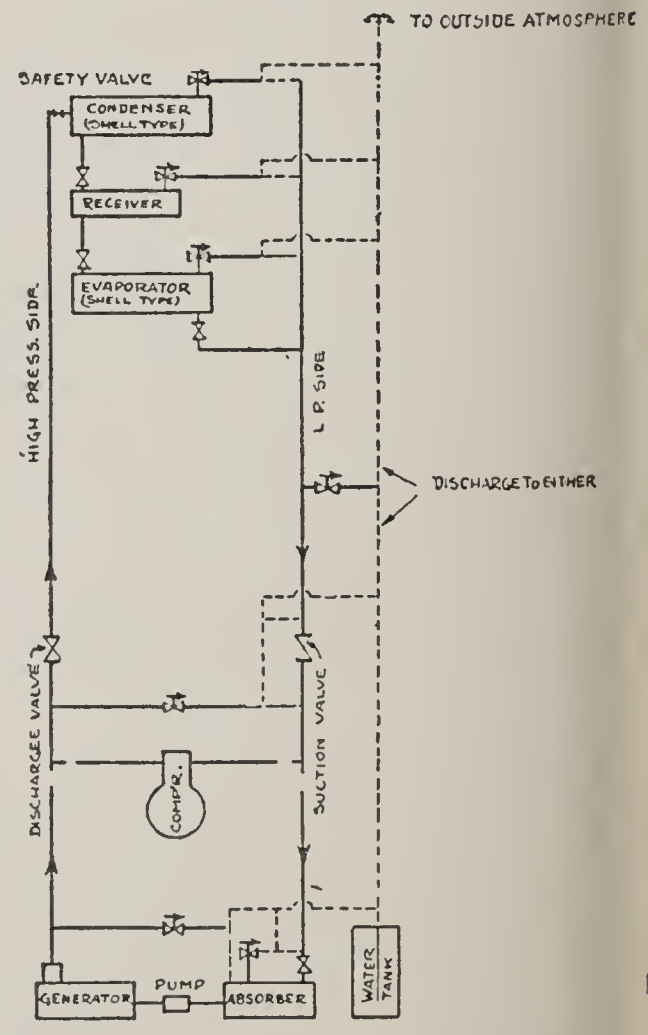


AMMONIA MIXER

Tonnage of Plant.	In Inches A	B	C	D	E	F	G (7/32 in Holes)	Size of Relief Valves: Condensers Receivers Evaporators Absorbers Compressor Generators
30 to 60	¾	1¼	4	15	2	45	130	¾"
60 - 100	1	1¼	5	15	2	50	260	1"
100 - 175	1¼	1¼	6	20	2	60	460	1¼"
175 - 250	1½	1¼	6	25	2	75	625	1½"
250 - 450	2	1½	10	30	2½	90	1000	2"
450 - 900	3	2	12	40	3	120	2200	2-2"

ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "A" EQUIPMENT

SECTION C19-107.0



ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS "B" EQUIPMENT

SECTION C19-107.0

system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

2. A rupture member may be substituted for the relief valve in CO_2 systems or systems operating below atmospheric pressure.

3. Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve, discharging as hereinafter provided.

4. Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

5. A pressure relief valve shall be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section C19-107.0 of the code.

c. Discharge of pressure relief valve.

1. Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in subdivision C, of section C19-103.0 of the code. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge pipe shall be not less than the size of the relief valve outlet. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

2. Where more than fifty (50) pounds of ammonia is used in a Class B system, the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems, or to the low pressure side as shown in diagrams in section C19-107.0 of the code, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth (⅛) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half (½) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

3. Where more than fifty (50) pounds of any refrigerant other than ammonia is used, the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbondioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

4. Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section C19-107.0 of the code.

§C19-106.0. Operating Precautions.

a. Masks and helmets.

1. In a Class A system which operates above atmospheric pressure, there shall be provided at least two helmets or masks.

2. In a Class B system in which more than fifty (50) pounds of ammonia. sulphur dioxide or other irritant refrigerant is used, there shall be provided at least one helmet or mask.

3. Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

b. Signs.

1. On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, containers and shell type coolers, signs having letters not less than one and one-half inches (1½″) high, designating the part and refrigerant contained therein.

2. The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least 8½″ by 11″ in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system. The purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

3. The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

c. Storage of refrigerant.

1. Refrigerant not contained in the refrigerating system shall be stored only in non-inflammable or non-irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

2. Only two containers holding not more than a total of three hundred (300) pounds of inflammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class A system.

3. Only one container holding not more than one hundred and fifty (150) pounds of inflammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class B system.

4. In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

5. If a greater amount of inflammable or irritant refrigerant than that permitted in a refrigerating machinery room is desired, it shall be stored in a fireproof building or enclosure used for no other purpose.

6. When the refrigerant is withdrawn from a system it shall be discharged only into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. It shall be unlawful to permit any refrigerant to escape into the refrigerating machinery room.

7. Containers shall be connected to the system only during period of charging or withdrawing the refrigerant.

§C19-107.0. Equipment Diagrams.

(See arrangement of pressure relief devices for Class A and Class B equipment.)

ARTICLE 27.
Penalties.

§C19-152.0. Violations.

Any person who shall wilfully violate or neglect or refuse to comply with any provisions of part 1, of this title, except the provisions of article twenty-six, in addition to any other penalties prescribed by law, shall, upon conviction, be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both.

RULES

RULES FOR LIQUEFIERS USED TO CONVERT SOLID CARBON DIOXIDE TO A LIQUID AND /OR A GAS, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 214, ARTICLE 17 OF CHAPTER 10 OF THE CODE OF ORDINANCES

ADOPTED BY THE BOARD OF STANDARDS AND APPEALS JUNE 26, 1936.

EFFECTIVE, JULY 27, 1936.

(262-35-SR)

Authority:

Pursuant to the authority vested in the Board of Standards and Appeals by Section 718-A, sub-division 3 of Chapter XIV-A of the Charter of the City of New York for the carrying into effect the provisions of Section 214, Article 17, Chapter 10 of the Code of Ordinances.

Rule 1. Certificate of Approval.

A Certificate of Approval shall be obtained by the manufacturer from the Fire Chief and Commissioner for each type of liquefier or converter to be used for the conversion of solid carbon dioxide to liquid carbon dioxide as in full compliance with these Rules. A Certificate of Approval shall also be obtained from the Fire Chief and Commissioner for each system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers as in full compliance with these Rules.

Rule 2. Certificate of Fitness.

A Certificate of Fitness shall be obtained from the Fire Chief and Commissioner for each operator of a liquefier system used to convert solid carbon dioxide to liquid carbon dioxide for filling portable cylinders or other containers.

Rule 3. Inspection Test Report.

A disinterested inspection service, approved by the Fire Chief and Commissioner, shall inspect all material and workmanship of all liquefiers at the place of manufacture and shall verify compliance with these Rules, witness all tests and shall furnish the Fire Chief and Commissioner with a test report as follows:

A. Test reports for liquefiers, other than redesigned portable cylinders, shall show all information called for in paragraph 23, I. C. C. Specification 3A, except as follows:
   1. "Marks stamped into shoulder of cylinder." This shall be as per Rule "11 Marking" hereinafter specified. Actual markings shall be shown on test report.
   2. "Record of hydrostatic tests." This shall be as per Rule "9 Testing" hereinafter specified.
   3. Statement shall be furnished that liquefier covered in said test report comply with these Rules, and Certificate of Approval Number for the type of liquefier covered in said test report.

B. Test report for converted portable cylinders for liquefier use shall show for each converted cylinder the following:
   1. Liquefier Serial Number.
   2. Original number of cylinder used for conversion.
   3. Original ownership initials of cylinders used for conversion.
   4. Original I. C. C. marking of cylinder used for conversion.
   5. Original manufacturing test date of cylinder used for conversion, and name of original manufacturer.
   6. Test pressure applied to cylinder before conversion.
   7. Total expansion obtained on cylinder before conversion.
   8. Permanent expansion obtained on cylinder before conversion.
   9. Per cent expansion obtained on cylinder before conversion.
   10. Elastic expansion obtained on cylinder before conversion.
   11. Outside diameter and length of cylinder before conversion.
   12. A statement that the above cylinders before conversion into liquefiers were tested in a water jacket in accordance with these Rules and I. C. C. Regulations and the results appear above.
   13. A statement that the top thickness, opening for cover plate and distance across the corner where the side wall meets the bottom and at 45° to the side wall, was measured and the dimensions were found to conform with Rule 6, F. G. H and I.
   14. A statement that after assembly each liquefier was given an open hydrostatic test to 3,000 lbs. and this pressure was held for at least two minutes without showing a pressure recession of more than 75 lbs.
   15. The liquefier was marked as follows: (See Rule "11 Marking" for requirements.)
   16. A statement that these liquefiers conform to these Rules, and that the type of liquefier has been approved under New York City Fire Department Certificate of Approval Number .....

Rule 4. Construction Other Than Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO^2 to liquid CO^2 shall be constructed of seamless drawn steel in accordance with Specifications of I. C. C. governing cylinders for CO^2. Closure devices other than screw thread type shall conform with the following:

A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container
t = Wall thickness.
P = 3,000 lbs. PSI.
S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.).

B. The "Top" is defined as that portion of the liquefier in which the closure device is installed and where the ice is introduced.

C. The minimum thickness of the top before machining shall be at least 3½ times the wall thickness.

D. The minimum thickness of the top after machining shall be at least 3 times the wall thickness.

E. The minimum distance from edge of the hole cut or shaped for the closure device to the outside of wall shall be 4½ times the wall thickness.

F. The maximum width of the machined seat shall not be more than 1½ times the wall thickness.

G. The outside radius connecting the top of the liquefier to its side wall shall not be more than 1½ times the wall thickness.

H. The inside radius connecting the side wall to the top before machining, shall not be less than 2½ times the wall thickness.

In lieu of the requirements as set forth in C to H inclusive above:

The top portion of the liquefier including closure plate

shall be designed with a factor of safety of not less than two at a test pressure of 3000 lbs. per sq. inch. The design shall be proven by a test to destruction for each type of liquefier before a certificate of approval shall have been issued.

1. A large fillet shall be provided in the corner of the machined seat where it meets the inside radius.

Rule 5. Construction Screw Thread Type.

New liquefiers designed for the purpose of converting solid CO^2 to liquid CO^2 shall be constructed of seamless drawn steel in accordance with specifications of I. C. C. governing cylinders for CO^2. Closure device of the screw thread type shall conform with the following:

A. The minimum wall thickness for a test pressure of 3,000 lbs. per sq. in. shall be in accordance with the following formula:

$$t = \frac{OD \times P \times .43}{S}$$

Where OD = Outside diameter of container.
t = Wall thickness.
P = 3,000 lbs. PSI.
S = Minimum yield point of hard steel (not to be figured in excess of 50,000 lbs.)

B. The thread of the device shall be designed with a factor of safety of not less than 4 at a test pressure of 3,000 lbs. per sq. in. and the wall thickness after cutting thread shall not be less than that specified in Rule 5-A above.

Rule 6. Conversion of Portable Cylinders for Liquefier Use.

Seamless portable cylinders made to I. C. C. Specification 3 or 3A for oxygen or carbon dioxide and originally designed and used for the transportation of compressed or liquefied gases shall be acceptable for alteration or conversion into carbon dioxide liquefiers only under the following conditions;

A. Cylinders which have been in a fire shall not be used for conversion into liquefiers until they have been properly heat treated and retested as specified in paragraph 423, of the I. C. C. Regulations.

B. Cylinders which show surface dents, or which fail to give a clear ring on being struck with a hammer, shall not be used for conversion into liquefiers.

C. Before conversion into liquefiers, each cylinder shall be submitted to a hydrostatic test of 3,000 lbs. pressure in a water jacket under the conditions specified in paragraph 424 of the I. C. C. Regulations and the total and permanent expansion shall be recorded. A cylinder shall be condemned when it leaks or when the permanent expansion exceeds 10 per cent of the total expansion.

D. If in the hydrostatic test in the water jacket the net elastic expansion (total expansion less permanent expansion) at 3,000 lbs. exceeds the allowable limit given in the following table for the type of cylinder involved, such cylinder shall not be used for conversion into a liquefier. If the cubic capacity of a cylinder to be tested varies from the standard capacity given in the table for that type, then the allowable limit of elastic expansion will be varied in the same proportion.

TABLE I.

Type	*Cubic Capacity*	*Elastic Expansion Allowable Limit*
220 ft. oxygen	2,660 cu. in.	170 c.c.
200 ft. oxygen	2,660 cu. in.	170 c.c.
50 lbs. CO^2	2,360 cu. in.	150 c.c.

E. No cylinders designed and used for a portable container shall have the thickness of the side wall reduced by any cutting of threads in the process of conversion into a liquefier, except as specified in Rule "5-B Construction Screw Thread Type."

F. If the closure is formed by using a portion of the former bottom as a seat, this shall only be permissible if the dimensions of the liquefier conform to those shown in the Tables II, III and IV.

TABLE II.

Type	*Minimum Bottom Thickness*
220 ft. oxygen	.66 in.
200 ft. oxygen	.66 in.
50 lbs. CO^2	.66 in.

TABLE III.

Type	*Maximum Opening Permitted*
220 ft. oxygen	6⅛ in. x 7⅛ in.
200 ft. oxygen	6⅛ in. x 7⅛ in.
50 lbs. $CO.^2$	5¾ in. x 6¾ in.

TABLE IV.

Type	*Minimum Thickness across corner at Point where the outside of the side wall meets the inside radius of bottom and at 45° to side wall.*
220 ft. oxygen	⅝ in.
200 ft. oxygen	⅝ in.
50 lbs. CO^2	⅝ in.

G. The maximum width of the machined seat for the gasket of liquefier shall be 5/16 in., and the inside radius connecting this seat to the side wall of the cylinder shall not be less than ⅛ in.

H. The minimum thickness of closure plate shall be 5 times the wall thickness of the cylinder. The closure plate shall be of a good grade of billet steel. Castings not permitted.

I. Before conversion into a liquefier, the cylinder shall meet a new hydrostatic test at the pressure at which such cylinder was originally tested, provided however, that no cylinder shall be converted unless for its original use it was tested to 3,000 lbs. pressure. Such new test shall be in a water jacket before conversion into a liquefier.

Rule 7. Spuds.

Spuds for chain connections or for reinforcing valve or pipe connections of not over ¾ in. pipe size shall be welded before heat treatment at place of manufacture of the liquefier.

Rule 8. Safety Devices.

Each liquefier shall be provided with two safety devices of frangible disc type attached to the liquefier at a point not lower than 6 inches from the top. The cross section area of the discharge channel, or channels (of the safety device, or devices) shall be at least .006 sq. in. for each 25 lbs. of liquefier water capacity and .00024 sq. in. additional for each additional pound of water capacity. Safety devices having two or more outlets shall be so constructed that these outlets will have a combined total area of not less than one and one-half times that prescribed for the safety discharge channel. The frangible disc of the safety devices shall be designed to release at a pressure of not more than 2,000 lbs. per sq. in.

Rule 9. Testing.

Each liquefier after assembly shall be tested hydrostatically by an approved independent testing agency for not less than two minutes to a pressure of 3,000 lbs. per sq. in. without showing a pressure recession of more than 75 lbs.

per sq. in. The inspection service shall file a satisfactory record on test report stating that the liquefier passed the above required test.

Rule 10. Quinquennial Test.

Liquefiers used for any purpose shall be retested at least every five years to a pressure of 3,000 lbs. per sq. in. in the same manner and under the same requirements as at the time and place of manufacture and the date of retest shall be stamped thereon.

Rule 11. Marking.

Each liquefier shall bear marking as follows:

A. Name of owner.
B. Serial number.
C. Name or trade mark of manufacturer.
D. Date of manufacture.
E. Test pressure.
F. Inspection service mark.
G. Maximum filling charge based on filling to not more than 68 per cent of the water content by weight.

Rule 12. Filling.

Each liquefier shall be placed and used in a vertical position with filling effected while liquefier is properly secured.

Rule 13. Maximum Charge.

Liquefiers shall not be filled with solid carbon dioxide in excess of 150 lbs. nor in excess of 68 per cent by weight of the water capacity of the liquefier.

Rule 14. Use of CO^2 Systems and Liquefiers.

A. Carbon dioxide liquefier converting systems for filling portable cylinders shall not be used in any building occupied in whole or in part as a residence or as a multiple dwelling, or as place of public assembly, or in a building not used exclusively for manufacturing purposes.
B. Except in buildings used exclusively for the manufacture of carbon dioxide or other compressed gases, not more than 8 liquefiers of a maximum combined capacity of 1,200 lbs. of carbon dioxide shall be headed in a battery and not more than one such battery shall be permitted in a building.
C. Liquefiers may be manifolded only by the use of extra heavy steel or wrought iron pipe, or extra heavy seamless copper or brass tubing, of not larger than ¾ in. I. P. S. Fittings shall be high pressure forged steel or extra heavy bronze hydraulic type.
D. Each manifold shall be protected by a frangible disc safety device of the same size and type as those prescribed for the liquefier, and designed to release at a pressure of not more than 2,000 lbs. per sq. in. In addition, the liquid manifold shall be protected by a spring safety valve so set as to relieve the pressure at not more than 1,600 lbs. per sq. in.
E. When carbon dioxide gas is conducted through pressure reducing valve between liquefier and point of use, the use of a heater will be permitted, but said heater shall be so arranged that heat may be applied indirectly. This heater shall consist of a coil immersed in water. The source of heat shall then be applied to the water but not directly to the coil.

Rule 15. Test of Piping.

Each liquefier or battery of liquefiers to be used for the filling of portable cylinders or other containers with liquid carbon dioxide and all the piping connected thereto shall be hydrostatically tested in the presence of the representatives of the Fire Chief and Commissioner before the solid carbon dioxide is first put into the system. A hydrostatic pressure of 2400 lbs. per sq. in. shall be maintained for fifteen minutes, released for five minutes, and again applied for a period of fifteen minutes without any visible leak or reduction of pressure. This test shall be repeated at least every five years.

Rule 16. Approval Systems for Filling Portable Cylinders.

Each liquefier or battery of liquefiers used for filling portable cylinders or other containers, shall be permanently labeled or marked showing the Fire Department Certificate of Approval Number together with date of last test.

Rule 17. Acceleration.

Defrosting, or acceleration of liquefaction, shall be by use of water only, the water shall be of a temperature not above 85° Fahrenheit.

Rule 18. CO^2 Portable Cylinders.

A. Portable cylinders or other containers to be filled with liquid carbon dioxide shall be constructed and marked in accordance with the Specifications of the Interstate Commerce Commission for carbon dioxide cylinders and shall have been tested within intervals of not more than five years as evidenced by official marking. Cylinders not so constructed and marked shall not be filled with carbon dioxide.
B. The maximum filling of liquid carbon dioxide, with one pound allowable variation in each cylinder, shall not be over 20 lbs. for standard cylinders 5½ in. in diameter by 51 in. long, nor over 50 lbs. for standard cylinders 8½ in. in diameter by 51 in. long and larger. No cylinder shall be filled with carbon dioxide to more than 68 per cent of the water capacity, by weight, of the cylinder.
C. The amount of liquid carbon dioxide charged into portable cylinders or other containers shall be determined by weight by use of a dial scale having a movable indicator, and this weight shall also be checked after disconnecting from the charging line.

Rule 19. Existing Installations.

Liquefiers or converters to which these rules and regulations cannot be applied, may be maintained and operated, if approved by the Board of Standards and Appeals, under such conditions as are deemed necessary in the interest of public safety.

NOTICE

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE
CHARLES M. BLUM
CHIEF JOHN J. McELLIGOTT
EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Certiorari Order Served on Board.

Court Decision.

Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting, November 15, 1938, at 10 A. M., Affecting Calendar Numbers 538-37-BZ, 542-38-BZ, 676-38-BZ, 692-38-BZ, 480-25-BZ, 15-38-BZ, 660-38-BZ, 672-38-BZ and 708-38-BZ.

Minutes of Regular Meeting, November 15, 1938, at 2 P. M., Affecting Calendar Numbers 327-27-BZ, 562-32-BZ, 624-26-BZ, 554-37-BZ, 354-32-BZ, 39-37-BZ, 306-38-A, 807-38-A, 832-38-A, 909-38-A, 917-38-A, 950-38-A, 956-38-A, 960-38-A, 962-38-A, 968-38-A, 983-38-A, 985-38-A, 1000-38-A, 1021-38-A, 934-38-A, 977-38-A, 885-38-A, 924-38-A, 929-38-A, 930-38-A, 940-38-A, 941-38-A 951-38-A, 959-38-A, 963-38-A, 965-38-A, 971-38-A, 972-38-A, 973-38-A, 974-38-A, 975-38-A, 976-38-A, 979-38-A, 980-38-A, 982-38-A, 987-38-A, 988-38-A, 1002-38-A, 1003-38-A, 1004-38-A, 1005-38-A, 961-38-A, 995-38-S, 910-38-S, 946-38-S and 947-38-SM.

Minutes of Special Meeting, November 18, 1938, at 10 A. M., Affecting Calendar Numbers 850-38-A, 851-38-A, 852-38-A, 853-38-A, 854-38-A, 855-38-A, 856-38-A and 883-38-A.

Fire Drill Rules.

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DEC 30 1938
UNIVERSITY OF ILLINOIS

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to November 15, 1938

Cal. No. *Department* *Premises Affected*

1001-38-SM.....Standard and Extra Heavy Black and Galvanized Pipe, Copper Bearing Steel Pipe and Seamless Steel Pipe (Butt and Lapp Welded), manufactured by National Tube Company, Material.

1002-38-A.....H.B.Q.....73-03, 73-07 and 73-11 183rd street, southeast corner of 73rd avenue and east side of 183rd street, 41.87 ft. and 81.87 ft. south of 73rd avenue (Block 7171, Lot 1), Flushing, Borough of Queens, N.B. 7374-38, N.B. 7375-38 and N.B. 8594-38.

1003-38-A.....H.B.Q.....73-04, 73-08 and 73-12 183rd street, southwest corner of 73rd avenue and west side of 183rd street, 53.85 ft. and 93.85 ft. south of 73rd avenue (Block 7170, Lot 1), Flushing, Borough of Queens, N.B. 7363-38, N.B. 7364-38 and N.B. 8595-38.

1004-38-A.....H.B.Q.....75-75 and 75-81 183rd street, northeast corner of Union turnpike and east side of 183rd street, 45.01 ft. north of Union turnpike (Block 7200, Lot 1), Flushing, Borough of Queens, N.B. 7387-38 and N.B. 7393-38.

1005-38-A.....H.B.Q.....75-76 and 75-82 183rd street, northwest corner of Union turnpike and west side of 183rd street, 50.92 ft. north of Union turnpike (Block 7199, Lot 1), Flushing, Borough of Queens, N.B. 7373-38 and N.B. 7390-38.

1006-38-BZ....H.B.Bx.....1688 Eastern boulevard, southwest corner of Soundview avenue (Block 3660, Lots 56 and 59), Borough of The Bronx, N.B. 592-38.

1007-38-A.....H.B.Q.....148-02 to 148-18 147th avenue, southwest corner of 149th street (Block 4233, part of Lot 1), South Jamaica, Borough of Queens, Alt. 7914-38.

1008-38-A-WF..H.B.Q.....126-14 38th avenue, south side, 100 ft. east of 126th street (Block 1826, Lot 14), Corona, Borough of Queens, N.B. 8233-38.

1009-38-A.....H.B.Q.....57-16 Granger street, south side, 136 ft. east of Martense avenue (Block 1950, Lot 46), Corona, Borough of Queens, Revocation.

1010-38-BZ....H.B.Bx.....East side of Jerome avenue, 96 ft. south of East 184th street (Block 3187, Lot 21), Borough of The Bronx, N.B. 539-38.

1011-38-BZ....H.B.Q.....111-66 Corona avenue and 112-43 Colonial avenue, southwest corner (Block 1972, Lots 53 and 56), Corona, Borough of Queens, N.B. 8880-38.

1012-38-A.....H.B.B.....1602 Pitkin avenue, south side, 40 ft. east of Amboy street (Block 3518, Lot 35), Borough of Brooklyn, Alt. 14759-38.

1013-38-BZ....H.B.M.....1881-1889 Second avenue and 235 East 97th street, northwest corner (Block 1647, Lots 21-25 inclusive), Borough of Manhattan, Decision.

1014-38-A.....F.D.....41-59 East 123rd street, 52-58 East 124th street and 1911-1929 Madison avenue (Block 1748, Lots 35, 44-49 and 66-69), Borough of Manhattan, Decision re: Plan No. 309-38.

1015-38-SM.....“True Greenheart” Timber, manufactured by The Greenheart Lumber Company, Material.

1016-38-A.....F.D.....416 Marcy avenue, southwest corner of Walton street (Block 2244, Lot 36), Borough of Brooklyn, 76856-L.C.

1017-38-A.....H.B.Bx.....4750 Third avenue and 441 East 189th street, northeast corner (Block 3033, part of Lot 53), Borough of The Bronx, B.N. 1213-38 and G. Order No. 112-38.

1018-38-BZ....H.B.M.....3740 Broadway, northeast corner of West 155th street (Block 2114, Lot 1), Borough of Manhattan, Decision.

1019-38-A.....H.B.B.....289 Utica avenue and 1767 Union street, north side, 80 ft. east of Utica avenue (Block 1397, Lots 1 and 80), Borough of Brooklyn, Alt. 14923-38.

1020-38-SM.....Atlas Portland Cement, Atlas White Portland Cement and Atlas Waterproofed White Portland Cement, manufactured by Universal Atlas Cement Company, Material.

1021-38-A.....H.B.Bx.....1036 Summit avenue, east side, 175 ft. south of 165th (Devoe) street (Block 2525, Lot 16), Borough of The Bronx, N.B. Plan No. B52-02.

CALENDAR

1022-38-SA.....Rapidayton Centrifugal Gasoline Pumping Unit, Model G-6500, Appliance.

1023-38-BZ....H.B.Q.....168-30 89th avenue, southeast corner of 168th place (Block 9801, part of Lot 51), Jamaica, Borough of Queens, N.B. 7834-38.

1024-38-A.....F.D.....Transportation of fuel oil in Tank Truck (not of approved type) in New York City, 14675-L.C.

1025-38-A.....H.B.B.....180 South Oxford street, west side, 371 ft. 8 in. north of Atlantic avenue (Block 2004, Lot 66), Borough of Brooklyn, Applic. 13288-38.

1026-38-A.....F.D.....726-736 Greenwich street and 122-130 Perry street, southwest corner (Block 632, Lot 17), Borough of Manhattan, 1988-L.F. and Decision.

1027-38-A.....F.D.....27-01 Bridge Plaza North (Block 416, Lot 10), Long Island City, Borough of Queens, 76946-L.C.

1028-38-BZ....H.B.B.....7906 Seventh avenue, southwest corner 79th street (Block 5892, Lot 65), Borough of Brooklyn, Alt. 11968-38.

1029-38-BZ....H.B.Q.....100-19 to 101-01 Roosevelt avenue, north side, 466.17 ft. west of 103rd street and extending through to 39th avenue and 100-18 to 101-02 39th avenue, south side (Block 1770, Lots 11, 12, 13, 14, 60 and 62), Corona, Borough of Queens, N.B. 8254-38.

Restored to Calendar.

61-38-A.....H.B.B.....40-62 Tehama street, north side, 375 ft. east of Chester avenue (Block 5307, part of Lot 27), Borough of Brooklyn, Applic. 15849-38.

27-27-BZ.....H.B.B.....745-757 Ralph avenue (Block 3531, Lot 7), Borough of Brooklyn, Applic. 16776-38.

2-32-BZ.....H.B.Q.....Southwest corner of Foch and Springfield boulevards (Block 3358, Lot 50), St. Albans, Borough of Queens, Plan No. 2795-32.

RDER OF CERTIORARI SERVED ON BOARD OF STANDARDS AND APPEALS

On November 18, 1938, George D. Carrington, attorney, served on ard petition and order of certiorari on behalf of New York Life surance Company, owner, in re decision of Board on October 25, 38, amending resolution granting parking space on the conditions cified, under section 7-h, Cal. No. 461-37-BZ, at premises 247-261 adison avenue, east side, from East 38th to East 39th streets, Borgh of Manhattan.

COURT DECISION

Friedel vs. Murdoek—On July 9, 1937, Board granted parking spaee in business district, under seetion 7-h, Cal. No. 76-37-BZ, at premises 601-611 Livonia avenue, northeast eorner Sheffield avenue, Borough of Brooklyn. Mr. Justiee Steinbrinck sustained Board (N.Y.L.J. November 15, 1938) holding that requirements as to hardship under seetion 21 do not apply to grants under 7-h whieh permits the Board to exereise its discretion on a reasonable basis, sueh as need for the aceommodation, help in solution of traffie problems and non-eompetition with garages in surrounding area, enabling owner to derive ineome and pay taxes. And also stating: "There is no merit to the argument that a permit for parking should have been denied beeause the spaee is being used at the present time for the storage of automobiles. Should the holder of the permit exeeed the permitted use, there are ageneies whieh may be invoked to prevent it. Nor is there any merit to the argument that the Board is inflexibly bound by its determination in other proeeedings that permits will be withheld from those who have violated a building zone resolution or a city ordinance. The Board must determine each ease upon its own peculiar faets. Whether in a given ease a violation is of sueh a eharaeter as to warrant a denial of a permit involves an issue that rests in the sound diseretion of the board. That diseretion will not be disturbed unless manifestly abused. No sueh abuse is here shown."

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules....Nov.	15, 1938—Vol. 23, No. 46
Certificate of Occupancy, approved form .....Aug.	23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)...Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules .....Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
Factory Exit Rules.....Sept.	13, 1938—Vol. 23, No. 37
Fire Alarm Rules (Interior).....Oct.	4, 1938—Vol. 23, No. 40
Fire Drill Rules.....Nov.	22, 1938—Vol. 23, No. 47
Fire Retarding Rules for Garages, etc. .....Nov.	8, 1938—Vol. 23, No. 45
Fireproof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules .....Nov.	1, 1938—Vol. 23, No. 44
Gas Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection .....June	5, 1928—Vol. 13, No. 23
Oil Burner Rules.....Nov.	8, 1938—Vol. 23, No. 45
Paint, Varnish and Lacquer Spraying Rules .....Sept.	13, 1938—Vol. 23, No. 37
Platform Trucks, Specifications for.Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules .....Aug.	3, 1937—Vol. 22, No. 31
Procedure, Rules of.....Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract C.O.Nov.	15, 1938—Vol. 23, No. 46
Smoking in Factories, Rules for....Nov.	1, 1938—Vol. 23, No. 44
Sprinkler Rules .....June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting...June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves .....Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....Nov.	8, 1938—Vol. 23, No. 45
Fuel Oil Burners for Domestic and Commercial Use ..... Aug.	30, 1938—Vol. 23, No. 35
Fuel Oil Fill Pipe Terminals.....Nov.	1, 1938—Vol. 23, No. 44
Fuel Oil Burners for Industrial Use.Aug.	30, 1938—Vol. 23, No. 35
Fuel Oil Pumps.....Nov.	8, 1938—Vol. 23, No. 45
Paint, Varnish and Laequer Spraying Equipment ..... Sept.	13, 1938—Vol. 23, No. 37
Range Oil Burners and Space Heaters .....Aug.	9, 1938—Vol. 23, No. 32

NOVEMBER 22, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 22*, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 391-37-BZ—Application, August 4, 1937, under sec-

CALENDAR

tion 7h of the building zone resolution, of Aaron Roth, applicant, on behalf of Kahnege Corporation, owner (Juliano Bocchemuzzo, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 49-01 to 49-19 Skillman avenue, north side, between 49th street and 50th street (Block No. 132, Los Nos. 67, 71, 72, 73 and 74), Long Island City, Borough of Queens.

CAL. NO. 275-38-BZ—Application, April 14, 1938, under section 7h of the building zone resolution, of J. G. L. Molloy, applicant, on behalf of David Zipkin, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 225-229 Sherman avenue and 531-537 West 207th street, southeast corner (Block No. 2223, Lot Nos. 1 to 4, inclusive), Borough of Manhattan.

CAL. NO. 274-38-BZ—Application, April 14, 1938, under section 7h of the building zone resolution, of J. G. L. Molloy, applicant, on behalf of David Zipkin, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 102 Sherman avenue, north side, 100 ft. east of Dyckman street and 169-171 Dyckman street (Block No. 2224, Lot Nos. 45 to 48, inclusive and Lot No. 53), Borough of Manhattan.

CAL. NO. 436-38-BZ—Application, June 1, 1938, under section 21 of the building zone resolution, of John F Meehan, applicant, on behalf of Wilgate Holding Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 53-02 Kissena boulevard, southeast corner of 153rd street, northwest corner of Kissena boulevard and Peck avenue and northeast corner of 153rd street and Peck avenue (Block No. 5163, Lot No. 74), Flushing, Borough of Queens.

CAL. NO. 458-38-BZ—Application, June 3, 1938, under section 7h of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Son-Ray Realty and Holding Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1800-1808 East 177th street, southeast corner of Beach avenue (Block No. 3881, Lot Nos. 11 to 15, inclusive), Borough of The Bronx.

CAL. NO. 701-38-BZ—Application, August 8, 1938, under section 7h of the building zone resolution, of Naphtali A. Weidberg, applicant, on behalf of Frank Spano and Michael Spano, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 90-14 168th street, west side, 112.50 ft. south of 90th avenue (Block No. 867, Lot Nos. 77 and 79), Jamaica, Borough of Queens.

CAL. NO. 652-38-BZ—Application, July 21, 1938, under sections 7a and 7c of the building zone resolution, of Charles G. Coster, applicant, on behalf of De Luxe Laboratories, Inc., owner, to permit in a residence use district the alteration and change of occupancy of an existing building to an office building; premises 448 West 56th street, south side 125 ft. east of Tenth avenue (Block No 1065. Lot No. 59), Borough of Manhattan.

CAL. NO. 428-37-BZ—Application, September 1, 1937, under section 7h of the building zone resolution, of James Newell, applicant and lessee, on behalf of 870 Eighth Avenue Corporation, Board of Transportation City of New York and Estate of John L. Sauervein (Sarah Sauervein, executrix and trustee), owners, to permit in a retail use district, for a temporary period of not more than two (2) years the parking of more than five (5) motor vehicles; premises 870-884 Eighth avenue, northeast corner of West 52nd street (Block No. 1024, Lot Nos 1, 2, 3, 63 and 161), Borough of Manhattan

CAL. NO. 313-22-BZ—Application of Felix M. Rosenstock applicant, on behalf of Peronne Realty Co., Inc., owner, reopened November 1, 1938. under sections 7b and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the alteration and extension in height of an existing business building (previously granted by the board); premises 333-335 East Fordham road and 2534-2544 Bainbridge avenue, northeast corner (Block No. 3286. Lot No. 1), Borough of The Bronx.

CAL. NO. 177-27-BZ—Application of Seelig and Finkelstein applicants, on behalf of Bay Road Realty Corporation, owner, reopened November 1, 1938, for consideration as to extension of time to obtain permit and to complete work—time having expired by limitation—re Application previously granted on condition, under section 7c of the building zone resolution, permitting in a residence use district extending from a business use district the erection and maintenance of a building for store occupancy on the first story; premises north side of Broadway (Cornaga avenue), 79.18 ft. east of Mott avenue (Block No. 47 Lot No. 78). Far Rockaway, Borough of Queens.

CAL. NO. 362-38-BZ—Application, May 11. 1938 under sections 6a, 6b and 21 of the building zone resolution, of David Steckler, appli

CALENDAR

cant, on behalf of Henry Felsenstein, owner, to permit in a residence use district the extension in area of a garage and gasoline service station; premises 2042-2044 Ocean avenue, west side, 470 ft. south of Avenue O (Block No. 6766, Lot No. 36 and part of Lot No. 38), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 22, 1938, 2 P. M.

Appeals from Administrative Orders

748-38-A—506-516 Wortman avenue and 953 Essex street, southeast corner (Block No. 4407, Lot No. 1), Borough of Brooklyn.

807-38-A—529-533 Fifth avenue, northeast corner 14th street (Block No. 1035, Lot No. 1), Borough of Brooklyn.

832-38-A—South side of Eliot avenue, 626 ft., 644 ft. and 667 ft. west of 84th street (Block No. 2941, Lot No. 1), Elmhurst, Borough of Queens.

956-38-A—51-03 Van Dam street, southeast corner of Borden avenue (Block No. 305, Lot No. 17), Long Island City, Borough of Queens.

909-38-A—158 9th street, south side, 295 ft. 9 in. east of 2nd avenue (Block No. 1008, Lot No. 22), Borough of Brooklyn.

985-38-A—140 Riverside drive, east side, from West 86th street to West 87th street, 351 West 86th street and 348-352 West 87th street (Block No. 1248, Lot Nos. 1, 2, 6, 7, 8, 9, 54 to 59 inclusive), Borough of Manhattan.

000-38-A—1101 Oak Point avenue and 510 Barry street, northeast corner (Block No. 2606, Lot No. 172), Borough of The Bronx.

037-38-A—216-15, 216-21, 217-03 and 217-09 121st avenue, north side, 50 ft. east and 50 ft. west of 217th street and northeast and northwest corners of 217th street (Block No. 3451, Lot Nos. 1 and 60), St. Albans, Borough of Queens.

038-38-A—120-46 and 120-47 218th street, 217-13, 217-19, 218-03 and 218-09 121st avenue, northwest and northeast corners of 218th street (Block No. 3451, Lot No. 60 and Block No. 3452, Lot No. 1), St. Albans, Borough of Queens.

039-38-A—216-26, 217-02, 217-08, 217-14, 217-18, 217-24, 218-02, 218-08 and 218-14 121st avenue, south side, 238.53 ft. east of Springfield boulevard (Block No. 3450, Lot No. 1), St. Albans, Borough of Queens.

31-38-A—2130-2140 Rockaway parkway, southeast corner of Schenck avenue (Block No. 8331, Lot No. 1), Borough of Brooklyn.

4-38-A—41-59 East 123rd street, 52-58 East 124th street and 1911 and 1929 Madison avenue (Block No. 1748, Lot Nos. 35-44 to 49 and 66 to 69, inclusive), Borough of Manhattan.

1-38-A—130-134 East 12th street, south side, 100 ft. west of Third avenue (Block No. 556, Lot No. 54), Borough of Manhattan.

9-38-A—57-16 Granger street, south side, 136 ft. east of Martense avenue (Block No. 1950, Lot No. 46), Corona, Borough of Queens.

5-38-A—180 South Oxford street, west side, 371 ft. 8 in. north of Atlantic avenue (Block No. 2004, Lot No. 66), Borough of Brooklyn.

1026-38-A—726-736 Greenwich street and 122-130 Perry street, southwest corner (Block No. 632, Lot No. 17), Borough of Manhattan.

1030-38-A—133 Reade street, south side, 48 ft. west of Hudson street (Block No. 140, Lot No. 30), Borough of Manhattan.

Variations of Labor Law

995-38-S—40-11 23rd street, east side, 100 ft. 1¼ in. south of 40th avenue (Block No. 408, Lot No. 20), Long Island City, Borough of Queens.

867-38-S—10-24 Dwight street, 5-21 Delavan street and 1-19 Verona street (Block No. 523, Lot No. 18), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November 22*, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 676-38-BZ—Application, July 29, 1938, under section 21 of the building zone resolution, of M. Allen Schlendorf, applicant, on behalf of Kroder-Reubel Co., owner, to permit in a business use district the erection and maintenance of a saw and planing mill; premises 75-81 Herbert street, north side, 50 ft. east of North Henry street (Block No. 2828, Lot No. 1), Borough of Brooklyn.

CAL. NO. 692-38-BZ—Application, August 4, 1938, under sections 7h and 21 of the building zone resolution, of Leopold Friedman, applicant, on behalf of Hawthorne Amusement Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 31-73 Bay 19th street, east side, 254 ft. south of 86th street (Block No. 6370, part of Lot No. 23), Borough of Brooklyn.

CAL. NO. 538-37-BZ—Application, November 15, 1937, under section 7h of the building zone resolution, of Nicholas Yannaco, applicant, on behalf of W. H. Flattau & Son, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 501 West 185th street, northwest corner of Amsterdam avenue (Block No. 2156, Lot No. 56), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

NOVEMBER 29, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 29*, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CALENDAR

CAL. NO. 345-36-BZ—Application of Hahn and Coller, applicants, on behalf of John Seinfeld, owner, reopened November 1, 1938, for rehearing on new facts (previously denied by board)—Court having referred matter back to board for rehearing and reconsideration—re Application, under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use (stores); premises 2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block No. 3161, Lot No. 26), Borough of The Bronx.

CAL. NO. 245-37-BZ—Application of Nathan Mandel, applicant, on behalf of St. Cloud Construction Corporation, owner, reopened November 1, 1938 for rehearing on new facts (previously denied by board)—Court having referred matter back to board for rehearing and reconsideration—re Application, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (store); premises 2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx.

CAL. NO. 764-38-BZ—Application, September 1, 1938, under sections 7c and 21 of the building zone resolution, of L. M. Rothman, applicant, on behalf of Bonay Holding Co., Inc., owner, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a motion picture theatre; premises 787-795 Lydig avenue, northwest corner of Barnes avenue (Block No. 4321, Lot No. 1), Borough of The Bronx.

CAL. NO. 61-38-BZ—Application, February 2, 1938, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of A. May Condit, owner, to permit in a business use district the extension of a gasoline service station; premises 5232-5248 Broadway, northeast corner of West 226th street (Block No. 2215, part of Lot No. 130), Borough of Manhattan.

CAL. NO. 285-38-BZ—Application, April 19, 1938, under section 21 of the building zone resolution, of L. E. Driver, applicant and chief engineer, on behalf of New York Dock Company, owner, to permit partly in a business use district and partly in an unrestricted use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 210-218 Furman street, west side, 449 ft. 2 in. north of Montague street (Bldg. No. 46); (Block No. 199, part of Lot No. 3), Borough of Brooklyn.

CAL. NO. 573-37-BZ—Application, December 3, 1937, under sections 7h and 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Mutual Life Insurance Co. of New York, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of not more than five (5) motor vehicles; premises 158-176 Columbus avenue, 101 West 67th street, 100 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Borough of Manhattan.

CAL. NO. 737-38-BZ—Application, August 19, 1938, under section 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Mary L. Walker, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1183 River avenue, west side, 100 ft. south of East 167th street (Block No. 2496, Lot No. 64), Borough of The Bronx.

CAL. NO. 834-38-BZ—Application, September 30, 1938, under sections 7h and 21 of the building zone resolution, of Julius Eckmann, applicant, on behalf of Charles T. Wills, Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises is located on same street, between two (2) intersecting streets, in which portion there exists an exit from and an entrance to a public school; premises 240-246 West 68th street, south side, 470 ft. west of Amsterdam avenue (Block No. 1159, Lot Nos. 52 to 55, inclusive), Borough of Manhattan.

CAL. NO. 784-38-BZ—Application, September 12, 1938, under section 21 of the building zone resolution, of William V. McDevit, applicant, on behalf of J. Clarence Davies, Inc., owner (Socony-Vacuum Oil Company, Inc., lessee), to permit in a business use district the erection and maintenance of an additional accessory building on an existing gasoline service station; premises 3273-3275 Westchester avenue and 2000-2006 Colonial avenue, northeast corner (Block No. 4249, Lot No. 1), Borough of The Bronx.

CAL. NO. 40-19-BZ—Application of William M. Farrar, applicant, on behalf of The Greenwich Savings Bank, owner, reopened November 9, 1938, under section 21 of the building zone resolution, to permit in a business use district the alteration and conversion of occupancy of a garage for more than five (5) motor vehicles (previously granted by the Board) to a factory building; premises 227-243 West 61st street, north side, 175 ft. east of West End avenue (Block No. 1153, Lot No. 8), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

NOVEMBER 29, 1938, 2 P. M.

Appeals from Administrative Orders

306-38-A—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

917-38-A—163-34 to 163-40 Jamaica avenue, south side, 307.30 ft. east of New York boulevard (Block No. 1167, Lot No. 16), Jamaica, Borough of Queens.

950-38-A—75 Washington place, north side, 176 ft. east of Sixth avenue (Block No. 552, Lot No. 66), Borough of Manhattan.

960-38-A—72-76 Grand avenue, west side, 120 ft. north of Park avenue (Block No. 892, Lot No. 48), Borough of Brooklyn.

962-38-A—133 East 47th street, north side, 145 ft. east of Lexington avenue (Block No. 1302, Lot No. 25½), Borough of Manhattan.

968-38-A—204 Columbia Heights, west side, 188 ft. 1 in. north of Pierrepont street (Block No. 233, Lot No. 10), Borough of Brooklyn.

1021-38-A—1036 Summit avenue, east side, 175 ft. south of 165th (formerly Devoe) street (Block No. 2525, Lot No. 16), Borough of The Bronx.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, November* 29, 1938, at 2 o'clock, in Room 1013, Municipal Building on the following matter:

CAL. NO. 772-28-BZ—Application of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in City of New York, owner, reopened November 9, 1938 on new proposal, under section 7e of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously granted by the board for a garage for more than five (5) motor vehicles); premises 136-138 East 41st street, south side, 148 ft. 3 in. east of Lexington avenue (Block No. 1295, Lot No. 46), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 6, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December* 6, 1938, at 10 o'clock, in Room 1013 Municipal Building on the following matters:

CAL. NO. 728-38-BZ—Application, August 17, 1938, under section 21 of the building zone resolution of Nathan Cooper, applicant, on behalf of Max Davidson, owner, to permit in a business use district the conversion of part of an existing building to a junk shop; premises 2401 Poplar street, northeast corner of Bronxdale avenue (Block No. 4062, Lot No. 27), Borough of The Bronx.

CAL. NO. 957-38-BZ—Application, September 29, 1938, under section 21 of the building zone resolution, of Stephen L. Heidrich, applicant, on behalf of Estate of Frederick D. Fricke, owner (Earle Hotel Corp., lessee), to permit in a residence use district, the conversion of occupancy of part of an existing building to a business use (restaurant); premises 103-105 Waverly place, north side, 35 ft. 3 in. west of MacDougal street (Block No. 553, Lot No. 31), Borough of Manhattan.

CAL. NO. 848-38-BZ—Application, October 5, 1938, under section 21 of the building zone resolution, of Abram Shlefstein, applicant, on behalf of Craufombe Estates, Inc., owner, (Shell Union Oil Corp., lessee), to permit in a business use district, the erection and maintenance of an accessory building to an existing gasoline service station; premises 2942-2948 Avenue U and 2102-2112 Haring street, southwest corner (Block No. 7363, Lot No. 5), Borough of Brooklyn.

CAL. NO. 589-38-BZ—Application, July 8, 1938, under sections 7h and 21 of the building zone resolution, of Jay Emanuel, applicant, on behalf of Franklin Savings Bank, in the City of New York, owner, (Jacob A. Goldstein and May Harris, lessees), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 303 West 51st street, north side, 58 ft. 10½ in. west of Eighth avenue (Block No. 1042, Lot No. 28½ and part of Lot Nos. 29, 30, 30½, 31, 32, 33, 33½ and 34), Borough of Manhattan.

CAL. NO. 771-38-BZ—Application, September 6, 1938, under section 21 of the building zone resolution, of William F. Wund and Allen Moss, applicants, on behalf of Wonten Realty Corporation, owner, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 204 West 65th street, south side, 50 ft. west of Amsterdam avenue (Block No. 1156, Lot No. 36), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 13, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December* 13, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 94-38-BZ—Application, February 16, 1938, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Jeho Co., Inc., owner

CALENDAR

(Jamaica Parking Co., Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-02 to 89-12 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

CAL. NO. 478-38-BZ—Application, June 10, 1938, under section 7h of the building zone resolution, of James Ellswick, applicant and lessee, on behalf of Estate of Emily K. Goodwin, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 252-256 Dyckman street, southeast corner of Payson avenue (Block No. 2246, Lot No. 55), Borough of Manhattan.

CAL. NO. 772-38-BZ—Application, August 26, 1938, under sections 7a, 7c and 21 of the building zone resolution, of Morton E. Bleich, applicant, on behalf of Henry Phipps Estates, owner (Ross-Frankel, Inc., lessee), to permit in a residence use district the erection and maintenance of a business and factory building; premises 281-289 Ninth avenue and 402-414 West 27th street, southwest corner (Block No. 724, Lot No. 36), Borough of Manhattan.

CAL. NO. 774-38-BZ—Application, September 7, 1938, under section 21 of the building zone resolution, of Giaccone and Richards, applicants, on behalf of Hungarian Society of New York, owner, to permit in a residence use district the erection and maintenance of a business building; premises west side of Cypress Hills street, 150 ft. inside of premises and 500 ft. north of Interboro parkway (Block No. 3750, Lot Nos. 280 and 290), Glendale, Borough of Queens.

CAL. NO. 803-38-BZ—Application, September 20, 1938, under section 7h of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Estate of Leopold Rossbach, owner (Laurence B. Rossbach, trustee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3901-3911 White Plains avenue, northwest corner of East 222nd street (Block No. 4824, Lot Nos. 4 and 7), Borough of The Bronx.

CAL. NO. 830-38-BZ—Application, September 29, 1938, under sections 7a and 21 of the building zone resolution, of Koch and Wagner, applicants, on behalf of Louis Lachter, owner (H. C. Bohack Co., Inc., lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of an auto laundry on an existing gasoline service station; premises 61-52 to 61-64 Woodhaven boulevard and 61-09 to 61-21 Dry Harbor road, southwest corner (Block No. 2950, part of Lot No. 1), Elmhurst, Borough of Queens.

CAL. NO. 873-38-BZ—Application, October 11, 1938, under section 21 of the building zone resolution, of Edward Necarsulmer, applicant, on behalf of Congregation Emanu-El (Salem Fields Cemetery), owner, to permit in a residence use district the erection and maintenance of two (2) business buildings; premises 67-18 Interborough parkway, south side, 83.70 ft. west of Cypress Hills street (Block No. 3740, Lot No. 250), Glendale, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 15, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, November 1, 1938; the minutes of the regular meeting of the Board held on Tuesday afternoon, November 1, 1938 and the minutes of the special meeting of the Board held on Friday morning, November 4, 1938, were approved as printed in Bulletin No. 45, Volume 23.

BUILDING ZONE CASES

538-37-BZ

APPLICANT—Nicholas Yannaco, for W. H. Flattau and Son, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—501 West 185th street, northwest corner of Amsterdam avenue (Block No. 2156, Lot No. 56), Borough of Manhattan.

APPEARANCES—

For Applicant: Nathan Kosseff and George Matas.

For Opposition: Emanuel Goldberg.

ACTION OF BOARD—Laid over to November 22, 1938, at 2 P.M., pending inspection by a Committee of Board. No further argument.

542-38-BZ

APPLICANT—Patrick Quilty, for Department of Water Supply, Gas and Electricity, City of New York, owner.

SUBJECT—Application (re decision of the borough super-

intendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of an extension to an existing pumping station; extension to be used as a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—Southwest corner of Fresh Meadow road and Underhill avenue (Block No. 5580, Lot No. 140), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Patrick Quilty.

For Opposition: None.

ACTION OF BOARD—Application to be set for hearing for further consideration by the Board.

676-38-BZ

APPLICANT—M. Allen Schlendorf, for Kroder-Reubel Co., Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a saw and planing mill.

PREMISES AFFECTED—75-81 Herbert street, north side, 50 ft. east of North Henry street (Block No. 2828, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. Allen Schlendorf, B. Z. Nieden and Louis Breyer.

For Opposition: Andrew S. Derby, William P. Murphy, Rev. Eugene McLoughlin, Ella Kramer, William Dooley and others.

ACTION OF BOARD—Laid over to November 22, 1938, at 2 P.M., pending inspection by Committee of Board. No further argument.

692-38-BZ

APPLICANT—Leopold Friedman, for Hawthorne Amusement Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—31-73 Bay 19th street, east side, 254 ft. south of 86th street (Block No. 6370, part of Lot No. 23), Borough of Brooklyn.

APPEARANCES—

For Applicant: J. Eisenberg.

For Opposition: Charles S. Vaccaro and Frank Vaccaro.

ACTION OF BOARD—Laid over to November 22, 1938 at 2 P.M., pending inspection by Committee of Board. No further argument.

480-25-BZ

APPLICANT—S. J. Kessler, for The 188 West 230th Street Corporation, owner.

SUBJECT—Application, reopened May 17, 1938 (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit partly in an unrestricted use district and partly in a business use district, the inclusion of a motor vehicle repair shop in a garage (garage previously granted by the Board).

PREMISES AFFECTED—South side of West 230th street, 110.62 ft. east of Exterior street (Block No. 3264, Lot Nos. 104 and 106), Borough of The Bronx.

APPEARANCES—

For Applicant: Melvin E. Kessler.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(480-25-BZ)

WHEREAS, this application, to permit in a business district extending from an unrestricted district, the erection and maintenance of a garage for the storage of more than five motor vehicles affecting premises, south side of West 230th street, 110.62 ft. east of Exterior street (Block No. 3264, Lot Nos. 104 and 106), Borough of The Bronx, was granted by the Board July 21, 1925, on certain conditions and the owner requested a reopening of the case and an amendment of the resolution; and

WHEREAS, this application was reopened by vote of the Board May 17, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 15, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 230th street is in a business and unrestricted use district; Exterior street is in an unrestricted use district and Broadway is in a business and unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated September 30, 1938, re N.B. Plan 944-1925, reads:

"A certificate of occupancy for the Garage (more than five (5) cars) and motor vehicle repair shop at above mentioned location is hereby denied in accordance with the resolution of the Board of Standards and Appeals."

and

WHEREAS, the building is of fireproof construction two (2) stories in height, with a frontage of 101 ft. 4¾ in. and a depth of 153 ft. 6 in., irregular, occupied as a garage for more than 5 motor vehicles, it is proposed to alter the building to include a motor vehicle repair shop.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 21, 1925, so that as amended it shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution and that the application be and it hereby is *granted on condition* that the building be restricted to two stories above grade and shall be erected fireproof; that the rear wall shall be unpierced unless opening on property within the same ownership; that the front elevation shall be finished in face brick with architectural terra-cotta or stone trimming; that minor motor vehicle repairs may be permitted on the street floor of this building in connection with a sales agency, *on condition* that such repair work shall be done solely by hand tools, and by motor driven tools of not more than ½ h.p. each."

15-38-BZ

APPLICANT—John J. Gilmartin, for Third Avenue Railroad System, owner.

SUBJECT—Application (re decision of the deputy commissioner of housing and buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—2526-2530 Amsterdam avenue, southwest corner of West 186th street (Block No. 2156, Lot No. 48), Borough of Manhattan.

APPEARANCES—
For Applicant: John J. Gilmartin.
For Opposition: Louis S. Fierst, Emanuel Goldberg, Mary O'Neill, Stephen McGowan and George Euell.
ACTION OF BOARD—Application denied.
THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0
THE RESOLUTION—

(15-38-BZ)

WHEREAS, John J. Gilmartin, for Third Avenue Railroad System, owner, filed January 10, 1938, an application under the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles: Premises: 2526-2530 Amsterdam avenue, southwest corner of West 186th street (Block No. 2156, Lot No. 48), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 15, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Amsterdam avenue is in a business use district; West 185th street is in a residence and business use district; West 186th street is in a residence and business use district and Audubon avenue is in a residence use district; and

WHEREAS, the decision of the deputy commissioner of housing and buildings, dated August 31, 1938, reads:

"Your application for a certificate of occupancy for the use of the above premises for the parking and storage of more than five cars, has been denied for the reason that the premises are located in a business district where this occupancy is prohibited by Article II, Section 4a, subdivision 15 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 165 ft. 6 in. and a depth of 100 ft. Upon the southerly portion of the plot, having a frontage of 50 ft., there is located a one story brick power house; a brick wall separates this portion of the plot from the remainder of the premises. It is proposed to occupy the north portion of the premises having a frontage of 115 ft. 6 in., for a temporary period of not more than two (2) years for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the site and surrounding area were inspected by a Committee of the Board, prior to hearing; and

WHEREAS, the Board deemed that section 7, subdivision H does not apply, as the plot is not vacant and unbuilt upon and further, that it is within 200 feet of the entrance to a school within the prohibition of section 21 of the Building Zone Resolution.

Resolved, that the decision of the deputy commissioner of housing and buildings be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

660-38-BZ

APPLICANT—Louis E. Ordwein, for The Bank for Savings, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit partly in a residence use district and partly in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises is located within 200 ft. of a hospital.

PREMISES AFFECTED—409-411 West 57th street, nort side, 89 ft. 8½ in. west of Ninth avenue (Bloc No. 1067, Lot Nos. 28 and 28½), Borough of Mar hattan.

APPEARANCES—
For Applicant: David Weinberg.
For Opposition: Louis Ripfkin, Ray Fellowes, Bar rett E. Stand, James B. Powell, Theodore I Jacobsen and James A. Kenny.
ACTION OF BOARD—Application denied.
THE VOTE TO GRANT—
Affirmative .....
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh .....
Absent .....
THE RESOLUTION—

(660-38-BZ)

WHEREAS, Louis E. Ordwein, for The Bank for Savings, owner, filed July 22, 1938, an application under th building zone resolution, to permit partly in a residence us and partly in a retail use district for a temporary perio of not more than two (2) years, the parking and storag of more than five motor vehicles; premises is locate within 200 feet of a hospital; Premises: 409-411 We 57th street, north side, 89 ft. 8½ in. west of Ninth aven (Block No. 1067, Lot Nos. 28 and 28½), Borough Manhattan; and

WHEREAS, a public hearing was held on this applicatio by the Board of Standards and Appeals, at its regula meeting, November 15, 1938, after due notice by public tion in the Bulletin of the Board of Standards and A peals; and

WHEREAS, the use district maps accompanying the buil ing zone resolution show that Ninth avenue is in a reta use district; West 57th street is in a residence and reta use district and West 58th street is in a residence, reta and business use district; and

WHEREAS, the decision of the Borough Superintende of Buildings dated June 28, 1938 reads:

"Your application dated June 3, 1938, for a certi cate of occupancy for the use of the above premis for the parking and storage of more than 5 mot vehicles is denied as this occupancy is contrary Building Zone Resolution as the premises is part located in a residence district and partly in a reta district and is within 200 ft. of Roosevelt Hospital."

and

WHEREAS, the premises consist of a plot of ground ha ing a frontage of 42 ft. 9 in. and a depth of 100 ft. 5 i The easterly portion of the plot extends into the reta use district for a distance of approximately 9 ft. and t remainder of the plot is in a residence use district. It proposed to occupy the plot for a temporary period not more than 2 years for the parking and storage more than 5 motor vehicles; and

WHEREAS, this plot is within 200 ft. of a hospital a within the prohibition of Section 21 of the Building Zo Resolution; and

WHEREAS, the Board deemed that applicant was n entitled to relief under Section 21 on the grounds of pra tical difficulty or unnecessary hardship and that the pl can be used for a conforming use.

Resolved, that the decision of the Borough Superinte dent be and it hereby is *affirmed,* and that the applicati be and it hereby is *denied.*

672-38-BZ

APPLICANT—Clinton T. Roe, for Kate L. Wood a Martha Schenke, owners.

SUBJECT—Application (re decision of the borough supe intendent of buildings) under section 21 of t building zone resolution, to permit in a residen use district the erection and maintenance of t (2) buildings; each having a store on the fi

story and dwelling above; the plot is located in a proposed public park as shown on the zone map.

PREMISES AFFECTED—15-62 to 15-66 149th street west side, 100 ft. south of 15th drive (Block No. 505, Lot No. 24), Whitestone, Borough of Qneens.

APPEARANCES—

For Applicant: Clinton T. Roe and Maurice Adda.

For Opposition: Benjamin B. Edelstein, Martin Helsman, Morris Goodman, Anna O'Neill, Harvey Cederholm, Helen Libert, May Tyne and Mrs. M. Sullivan.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(672-38-BZ)

WHEREAS, Clinton T. Roe, for Kate L. Wood and Martha Schenke, owners, filed July 27, 1938, an application under the building zone resolution, to permit in a residence use district, the erection and maintenance of two (2) buildings each having a store on the first story and dwelling above; the plot is located in a proposed public park as shown on the zone map; Premises: 15-62 to 15-66 149th street, west side, 100 ft. south of 15th drive (Block No. 505, Lot No. 24), Whitestone, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 15. 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 149th street is in a residence and business use district; 15th road is in a business use district; 15th drive is in a residence use district and 16th road is in a residence use district; and

WHEREAS, the decisions of the Borough Superintendent of Buildings dated June 27, 1938, N.B. Application Nos. 4602-38 and 4603-38 read:

"The erection of a store in a residence district is contrary to section 3 of the Zone Law. Also property is located in a proposed public park as shown on the zone map."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50 ft. and a depth of 100 ft.; it is proposed to erect upon the plot two non-fireproof buildings; each building to be 2 stories in height, 20 ft. by 80 ft. in area and to be occupied as store on the first story and dwelling above; and

WHEREAS, the Board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, practical difficulties and unnecessary hardship and that the property can be developed for conforming use.

Resolved, that the decisions of the Borough Superintendent on N.B. Application Nos. 4602-38 and 4603-38, be and they hereby are *affirmed* and that the application be and it hereby is *denied*.

708-38-BZ

APPLICANT—Lama & Proskauer, for Patrick Carroll, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and 21 of the building zone resolution, to permit partly in in a business use district and partly in an unrestricted use district, the extension of a gasoline service station.

PREMISES AFFECTED—92-28 Horace Harding boulevard, southeast corner of Queens boulevard (Block No. 2075, Lot Nos. 5 and 6), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: A. A. Lama and Patrick Carroll.

For Opposition: Patrick J. Mahoney.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affimative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(708-38-BZ)

WHEREAS, Lama and Proskauer, for Patrick Carroll, owner, filed August 9, 1938, an application under the building zone resolution, to permit partly in a business use and partly in an unrestricted use district, the extension of a gasoline service station; Premises: 92-28 Horace Harding boulevard, southeast corner of Queens boulevard (Block No. 2075, Lot Nos. 5 and 6), Elmhurst, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 15, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Horace Harding boulevard is in a business and unrestricted use district; Queens boulevard is in a business use district; 93rd street is in an unrestricted use district and 62nd avenue is in an unrestricted and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings N.B. 5251-38, dated September 12, 1938, reads:

"The extension of a gasoline station and the erection of new buildings in a business and partly in an unrestricted district is prohibited by the zone law."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 241.6 ft. on Horace Harding boulevard, 224.2 ft. on Queens boulevard and 117.5 ft. on 93rd street. The easterly portion of the plot is located in an unrestricted use district and the westerly portion is located in a business use district. Filed plans show a gasoline service station located upon the easterly portion of the plot. It is proposed to erect upon the premises a one story building, 96 ft. by 26 ft., irregular in area; to be used as office, lubritorium and auto laundry, and to use the entire plot as a gasoline service station; and

WHEREAS, the Board deemed that the provisions of Section 7, subdivision C of the Building Zone Resolution, under which this application was made, empowered the Board to exercise its discretion and to grant this application under such conditions that would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted*, under Section 7-C, to permit the premises under appeal within the business use district to be used in conjunction with the portion of the premises in the unrestricted district as a gasoline service station *on condition* that the plot shall be levelled substantially to the grades of surrounding streets; that the arrangement of the accessory building and pumps shall be substantially as indicated on revised plans filed at the hearing, except that no pumps shall be erected nearer than 15 ft. to the street line of either street; that complete working drawings shall be submitted to the Board for approval and for the imposition of any additional conditions considered necessary before filing with the Borough Superintendent of Buildings and that such plans shall be filed within one month from the date of this action.

Adjourned, 1:10 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 15, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

327-27-BZ

APPLICANT—Sam Brufsky, lessee and P. Toback, Inc., owner.

SUBJECT—Application for consideration—reopening under a new proposal re (decision of the acting borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (garage for more than five (5) motor vehicles previously denied by Board; decision of Board reversed by Court—garage not built).

PREMISES AFFECTED—745-757 Ralph avenue, east side, 275 ft. south of Sutter avenue (Block No. 3531, Lot No. 7), Borough of Brooklyn.

APPEARANCES—

For Applicant: Gilbert Elliot and Sam Brufsky.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

562-32-BZ

APPLICANT—Theodore R. Feinberg, for Silgreen Holding Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of permit—re application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station for a temporary period.

PREMISES AFFECTED—Southwest corner of Foch boulevard and Springfield boulevard (Block No. 3358, Lot No. 50), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Theodore R. Feinberg.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

624-26-BZ

APPLICANT—Apa Realty Corporation, owner.

SUBJECT—Application reopened September 27, 1938 for consideration as to extension of permit—re Application (decision of the commissioner of buildings) under section 7f of the building zone resolution, permitting in a business use district the maintenance of a gasoline service station (erected under a temporary variation granted by the board for a temporary period).

PREMISES AFFECTED—Southwest corner of Kissena boulevard (road) and Horace Harding (Nassau) boulevard (Block No. 2167, Lot No. 35), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Anna Rheinhardt.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(624-26-BZ)

WHEREAS, this application affecting premises southwest corner of Kissena boulevard (road) and Nassau boulevard (Block No. 2167, Lot No. 35), Flushing, Borough of Queens, to permit in a business use district the maintenance of a gasoline service station for a temporary period of two (2) years, was granted by the board November 18, 1932, resolution amended May 7, 1935 and time extended December 8, 1936; and

WHEREAS, the applicant requested a reopening of the case and an extension of the temporary period; and

WHEREAS, this application was reopened by vote of the board September 27, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 15, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolutions adopted by the board on November 18, 1932 and May 7, 1935, only so far as it has reference to term of permit, so that as amended the resolution shall read:

"*Granted,* under section 7, subdivision f, *for temporary period of six* (6) *months from December 8, 1938, on condition* that all pumps shall be set back not less than 10 ft. from the building lines; any accessory use to the business conducted on the premises shall be confined to one-story structures; that there shall be but two entrances to the gasoline station on Nassau boulevard and two entrances on Reeves avenue, each not more than 12 ft. wide, with curb cuts not more than 14 ft. wide each; there shall be but one entrance on Kissena boulevard, not more than 12 ft. wide, with curb cut not more than 14 ft. wide; that no part of the gasoline station or the equipment or fence enclosing same shall extend beyond the area of the plot under appeal to include any adjacent property; that other than as amended herein, the resolutions adopted by the Board on November 18, 1932 and May 7, 1935 shall be complied with in all respects."

554-37-BZ

APPLICANT—Smith and Weber (lessees) for Board of Transportation City of New York, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit partly in a retail use district and partly in a business use district, the parking and storage of more than five (5) motor vehicles

PREMISES AFFECTED—896-908 Eighth avenue and 260-266 West 54th street, southeast corner and 25 West 53rd Street (Block No. 1025, Lot No. 3), Borough of Manhattan.

APPEARANCES—

For Applicant: Sanford Smith, Joseph A. Weber and Anthony M. De Rose.

For Opposition: A. Sarower.

ACTION OF BOARD—Application granted on condition

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	
Negative	
Absent	

MINUTES

THE RESOLUTION—

(554-37-BZ)

WHEREAS, Smith and Weber (lessees), for Board of Transportation, City of New York, owner, filed November 23, 1937, an application under the building zone resolution, to permit partly in a retail use and partly in a business use dictrict, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; Premises: 896-908 Eighth avenue, 260-266 West 54th street, southeast corner and 255 West 53d street (Block No. 1025, Lot No. 3), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 15, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Eighth avenue is in a retail use district; West 53d and West 54th streets are in retail, business and residence use districts and Broadway is in a retail use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated October 23, 1937, supplemented by a decision dated October 27, 1938, re Certificate of Occupancy, reads:

"In answer to your letter of October 26, 1938 requesting a correct denial on application for certificate of occupancy for the use of the above premises for the storage and parking of more than five motor vehicles, you are advised that as the premises are located in a retail and business district, this occupancy is prohibited in these districts by Section 4 and Section 4a of Article 2, Zone Resolution."

ınd

WHEREAS, the premises consist of an irregularly shaped ılot of ground having a frontage of 150 ft. 5 in. on Eighth .venue, 100 ft. on West 54th street and 77 ft. 6 in. on West 3d street. The easterly portion of the West 53d street rontage of the plot extends into a business use district for distance of approximately 37 ft., the remainder of the lot is in a retail use district. It is proposed to demolish ıe structure on the West 54th street portion of the prem-es and to occupy the plot for parking more than 5 ıotor vehicles; and

WHEREAS, the Board deemed that this was a proper case or the exercise of its discretion under section 7, subdiv. of the building zone resolution.

Resolved, that the Board of Standards and Appeals does ereby *make a variation* in the application of the use strict regulations of the Building Zone Resolution, and at the application be and it hereby is *granted,* under ection 7, Sub-division H, of the Building Zone Resolution, *r a period of two* (2) *years,* to permit the plot under peal to be used for transient parking of more than five) motor vehicles, *on condition* that only automobiles of e pleasure-car type shall be parked; that any buildings isting on the premises shall be entirely removed and no ilding shall be constructed, except there may be erected one-story building, not exceeding 20 ft. by 20 ft. in area, masonry construction, as an office and shelter for at-ıdant and waiting room for patrons; that the plot shall levelled to the grade of surrounding streets and sur-ced with steam cinders, clean gravel or other suitable ıterial, properly rolled and bound to prevent dusting, so ıded to provide surface drainage; that on the interior lot es where walls of adjoining buildings do not occur, there ıll be constructed a substantial woven-wire fence not less ın 6 ft. in height; that a similar fence shall be erected on street line of West 53rd street, except for an opening ft. in width, with curb cut opposite of similar width; that ng the street line of Eighth avenue and West 54th street, re shall be a similar fence constructed, or there may be a ck wall with a wrought-iron fence erected on same to a al similar height and except that there may be an en-nce opening to 54th street, not over 15 ft. in width, with curb cut opposite of similar width; that ample aisle shall be maintained at all times for easy entrance and exit; that such portable fire-fighting appliances shall be installed as the Fire Commissioner shall direct; that during the term of this variance, the premises shall be used for no other use than as herein permitted; that no sign shall be erected on the premises or on the walls of adjoining buildings, except there may be erected at the entrance to West 53d street and West 54th street, a sign attached to fence, advertising parking use, provided such signs do not exceed an area of 15 sq. ft. each; that any lights for illumination shall be arranged on post standards with metallic reflectors and so arranged to reflect towards the centre of premises and away from adjoining occupancies; and that all permits shall be obtained and all work shall be completed within three months from the date of this action.

354-32-BZ.

APPLICANT—Charles A. McKeon, lessee.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the maintenance of parking space for more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—598 Flatbush avenue, west side, 176 ft. 7¼ in. north of Chester court (Block No. 5026, Lot No. 136), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles A. McKeon.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(354-32-BZ)

WHEREAS, this application affecting premises 598 Flatbush avenue, west side, 176 ft. 7¼ inches north of Chester court (Block No. 5026, Lot No. 136), Borough of Brooklyn, was granted by the board November 4, 1932, for a temporary period of 2 years on certain conditions, resolution amended January 24, 1933, and December 8, 1936, and applicant requests a further extension of the two year period.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the Board on November 4, 1932, as amended by resolution adopted December 8, 1936, so that as amended, the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7, subdiv. H, for a period of two years from December 8, 1938, permitting the area as indicated on plans filed with this application to be used as an open air parking space for more than five (5) motor vehicles, to be occupied for transient parking during twenty-four hours of each day, *on condition* that there shall be no gasoline stored on the premises except in the tanks of the cars; that lighting for general illumination shall be limited to not over 100-watts each, spaced at least 25 ft. apart and equipped with metal reflectors so arranged as to reflect the light downwardly; that any advertising signs shall be confined to one sign on the Flatbush avenue frontage of the premises, indicating the name and nature of business conducted thereon, said sign to be not larger than 6 ft. by 6 ft.; that there shall be no additional buildings erected on the premises during the continuance of this variation; that no contract shall be en-

tered into for the storage of cars; that all permits required shall be obtained within one month from the date of this amended resolution."

39-37-BZ.

APPLICANT—Lama and Proskauer, for Hes Petroleum Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under section 7c of the building zone resolution, permitting in a business use district the extension of an existing gasoline service station and also the inclusion of a brake testing station.

PREMISES AFFECTED—2-8 Matthews place, 1-5 Slocum place and 619-641 Coney Island avenue, east side, between Matthews place and Slocum place (Block No. 5141, Lot Nos. 53 and 74), Borough of Brooklyn.

APPEARANCES—
For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—
(39-37-BZ)

WHEREAS, Cafiero & Lacerenza, for Margaret J. Quinn, Marguerite E. Quinn and Bessie Schwartz, owners, filed January 30, 1937, an application under the building zone resolution to permit in a business district the extension of an existing gasoline service station and, also, the inclusion of a brake testing service; Premises: 2-8 Matthews place, 1-5 Slocum place and 619-641 Coney Island avenue, east side, between Matthews place and Slocum place (Block No. 5141, Lot Nos. 53 and 74), Borough of Brooklyn; and

WHEREAS, the application was granted by the board June 15, 1937, on certain conditions, resolution amended November 3, 1937, and owners through the present architects, Lama and Proskauer, requested an extension of time to obtain permits and complete the work.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the board on June 15, 1937 as amended November 3, 1937, so that as amended the resolution shall read:

"Granted under section 7c to permit the existing three-car garage building at rear of Lot No. 74 to be used for brake-testing, and no other automobile repairing, permitting the removal of the existing concrete and wire-cable fence between Lot Nos. 74 and 53, provided there is erected on balance of Lot No. 74 for the full width from Coney Island avenue to the rear and from the three-car garage to Slocum place, a building to be used only for automobile salesroom and accessory store, not exceeding one story in height and constructed of fireproof materials, except that the roof beams and roof boarding, window frames and sash and door frames and doors may be of wood, provided the ceiling is plastered and there are no openings in the rear wall to the adjoining premises; that the front shall be of face brick with stone or terra cotta trimmings or of brick stucco to harmonize with the accessory buildings of gasoline station; except that the front of building facing Coney Island avenue may be semi-circular and meeting the building line on Coney Island avenue; that all working plans shall be submitted to the chairman for approval by him in behalf of the board before same are filed with the commissioner of buildings; that all permits shall be obtained and work completed within one year from the date of this amended resolution."

APPEALS FROM ADMINISTRATIVE ORDERS

306-38-A.

APPLICANT—Irene Thatcher, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: Max H. Newman.
For Administration: Samuel Cohen, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to November 29, 1938 at 2 P. M., applicant to submit to the Board additional information.

807-38-A

APPLICANT—Maurice F. Miller, for John Mullins & Sons, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—529-533 Fifth avenue, northeast corner of 14th street (Block No. 1035, Lot No. 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: George E. Green.
For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Laid over to November 22, 1938 at 2 P.M. for inspection by committee of the Board.

832-38-A

APPLICANT—Leonard C. L. Smith, for Green Park Homes, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—South side of Eliot avenue 626 ft., 644 ft. and 667 ft. west of 84th street (Block No. 2941, Lot No. 1), Elmhurst, Borough of Queens.

APPEARANCES—
For Applicant: L. C. L. Smith.

ACTION OF BOARD—Laid over to November 22, 1938 at 2 P.M., on request of applicant.

909-38-A

APPLICANT—Jacob Horowitz, lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—158 Ninth street, south side 295 ft. 9 in east of Second avenue (Block No. 1008, Lot No. 22), Borough of Brooklyn.

APPEARANCES—
For Applicant: John Sherman.

ACTION OF BOARD—Laid over to November 22, 1938 at 2 P.M. on request of applicant's representative. Committee of the board to make inspection.

917-38-A

APPLICANT—Elias Rothschild & Co., Inc., for Joharlo Mercantile Co., Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—163-34 to 163-40 Jamaica avenue, south side, 307.30 ft. east of New York boulevard (Block No. 1167, Lot No. 16), Jamaica Borough of Queens.

APPEARANCES—
For Applicant: J. P. Whiskeman.
For Administration: Insp. Maher, Fire Dep't.

ACTION OF BOARD—Laid over to November 29, 193 at 2 P.M. for inspection by a committee of the Board.

MINUTES

950-38-A

APPLICANT—Marta Schiappari, lessee.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—75 Washington place, north side, 176 ft. east of Sixth avenue (Block No. 552, Lot No. 66), Borough of Manhattan.
APPEARANCES—
For Applicant: Milton E. Goldman.
For Administration: Fred Dahlem, Dept. of Housing and Buildings.
ACTION OF BOARD—Laid over to November 29, 1938, at 2 P.M., Board to be furnished with additional information.

956-38-A

APPLICANT—Soffer and Rediker, for Buckingham Wax Corporation, lessee.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—51-03 Van Dam street, southeast corner of Borden avenue (Block No. 305, Lot No. 17), Long Island City, Borough of Queens.
APPEARANCES
For Applicant: Miss Rediker.
ACTION OF BOARD—Laid over to November 22, 1938, at 2 P.M. on request of applicant's representative.

960-38-A

APPLICANT—The Allen E. Rogers Laboratories, Inc., for Bertha A. Nebel, owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—72-76 Grand avenue, west side, 120 ft. north of Park avenue (Block No. 892, Lot No. 48), Borough of Brooklyn.
APPEARANCES—
For Applicant: J. R. MacLane.
ACTION OF BOARD—Laid over to November 29, 1938 at 2 P.M. on request of Applicant's representative.

962-38-A

APPLICANT—S. Walter Katz, for Michael V. Marraffino, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—133 East 47th street, north side, 145 ft. east of Lexington avenue (Block No. 1302, Lot No. 25½), Borough of Manhattan.
APPEARANCES—
For Applicant: Ludwig Hanauer.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to November 29, 1938 at 2 P.M. for further information from applicant.

968-38-A

APPLICANT—Slee & Bryson, for United Cities Realty Corporation, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
PREMISES AFFECTED—204 Columbia Heights, west side, 188 ft. 1 in. north of Pierrepont street (Block No. 233, Lot No. 10), Borough of Brooklyn.
APPEARANCES—
For Applicant: John B. Slee and Elmer Bloomberg.
For Administration: Samuel Cohen, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to November 29, 1938 at 2 P.M. for further consideration by the Board.

970-38-A

APPLICANT—Progressive Electric and Neon Sign Co., for Topics Tavern, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—845 Second Avenue, west side, 25 ft. north of East 45th street (Block No. 1319, Lot No. 23), Borough of Manhattan.
APPEARANCES—
For Applicant: Isador Solomon and Henry Rose.
For Administration: Fred Dahlem, Dep't of Housing and Buildings.
ACTION OF BOARD—Laid over to November 29, 1938 at 2 P.M. for further consideration by Board.

985-38-A.

APPLICANT—Emery Roth and Sons for 140 Riverside Drive Incorporated, owner.
SUBJECT—Appeal from decisions of the borough superintendent of buildings.
PREMISES AFFECTED—140 Riverside drive, east side from West 86th street to West 87th street, 351 West 86th street, and 348-352 West 87th street (Block No. 1248, Lot Nos. 1, 2, 6, 7, 8, 9 and 54 to 59), Borough of Manhattan.
APPEARANCES—
For Applicant: Emery Roth and Julian Roth.
For Administration: Fred Dahlem, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to November 22, 1938, at 2 P.M. for consideration by the Board.

1000-38-A.

APPLICANT—Alloys and Products, Inc., owner.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—1101 Oak Point avenue, and 510 Barry street, northeast corner (Block No. 2606, Lot No. 172), Borough of The Bronx.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Laid over to November 22, 1938, at 2 P. M. on written request of applicant.

1021-38-A.

APPLICANT—Dorothy F. Skoler, lessee.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—1036 Summit avenue, east side, 175 ft. south of 165th (formerly Devoe) street (Block No. 2525, Lot No. 16), Borough of The Bronx.
APPEARANCES—
For Applicant: Dorothy F. Skoler.
For Administration: M. C. E. Theide, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to November 29, 1938, at 2 P. M. for inspection by a committee of the Board, Building Department to furnish new objection.

934-38-A.

APPLICANT—Theodore R. Feinberg, for National Service Stations, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—14 Second avenue, east side, 47.10 ft. south of East First street (Block No. 442, Lot No. 6), Borough of Manhattan.
APPEARANCES—
For Applicant: Theo. R. Feinberg and Nathan Epstein.
For Administration: Fred Dahlem, Department of Housing and Buildings.
ACTION OF BOARD—Appeal withdrawn.
THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

977-38-A.

APPLICANT—Sidney Daub, for Julius Alan Weiss, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
PREMISES AFFECTED—237-241 Westminister road (233 displayed), east side, 300 ft. south of Beverly road (Block No. 5143, Lot No. 48), Borough of Brooklyn.
APPEARANCES—
For Applicant: Sidney Daub.
ACTION OF BOARD—Appeal withdrawn.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

885-38-A.

APPLICANT—Admirable Realty Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—55-57 Avenue D, southwest corner of East 5th street (Block No. 374, Lot No. 34), Borough of Manhattan.
APPEARANCES—
For Applicant: Nathan Gross.
For Opposition: Emanuel Freedman.
For Administration: Fred Dahlem, Department of Housing and Buildings; and Chas. Tilgner, Board of Education.
ACTION OF BOARD—Appeal denied.
THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(885-38-A)

WHEREAS, Admirable Realty Corporation ,owner, filed October 13, 1938, an appeal from a decision of the Borough Superintendent of Buildings affecting premises 55-57 Avenue D, southwest corner East 5th street (Block No. 374, Lot No. 34), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated September 15, 1938, reads:

"The approval of F. P. application 504-1938 and plan as filed under said application is hereby revoked.

You are directed to desist from prosecuting any work under the subject application and plan.

Your plans bear the statement to the effect that there is no entrance or exit to a school on the same street between the same intersecting streets. This statement is not accurate. There is an entrance on East 5th street between the same intersecting streets with the proposed gasoline selling station."

and

WHEREAS, the premises consist of a plot located in an unrestricted use district, 40 ft. 2 in. by 80 ft. in area, upon which it is proposed to construct a one story building about 12 ft. in height, 36 ft. by 18 ft. in area of metal construction, to be occupied as an automobile repair shop and gasoline service station; and

WHEREAS, the applicant contends that there is no entrance or exit to the school on the same street between the intersecting streets as the property in question; that there is no entrance on East 5th street between the same intersecting streets with the proposed gasoline selling station. The statement in the decision or order revoking the approval of F. P. Application 504-1938 and plan as filed under the said application is erroneous and based under a misapprehension of the facts; and

WHEREAS, the Board deemed that an entrance and exit to the school plot did exist.

Resolved, that the decision of the Borough Superintendent be and it hereby is *affirmed* and that the application be and it hereby is *denied.*

924-38-A

APPLICANT—Harry M. Sushan, for Himbro Realty Corporation, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
PREMISES AFFECTED—229-231 Atlantic avenue, north side, 175 ft. 3½ in. east of Court street (Block No. 277, Lot Nos. 10 and 11), Borough of Brooklyn.
APPEARANCES—
For Applicant: Harry M. Sushan.
For Administration: Samuel Cohen, Dep't of Housing and Buildings.
ACTION OF BOARD—Appeal granted.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(924-38-A)

WHEREAS, Harry M. Sushan, for Himbro Realty Corporation, owner, filed October 26, 1938, an appeal from a decision of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 229-231 Atlantic avenue, north side, 175 ft. 3½ in. east of Court street (Block No. 277, Lot Nos. 10 and 11), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent on App. No. 14889-38, reads:

"1. The rear yard should not be above the second story window sill level as required by the Building Zone Resolution, Sec. 17-(b)."

and

WHEREAS, the building is one and three stories (34 ft.), in height, 50 ft. front by 94 ft. 10 in. in depth, of non-fireproof construction; located in a business use, "B" area, district; erected in 1913 and occupied as follows: Cellar—lumber storage; 1st floor—storage and sale of lumber and offices, 8 persons; mezzanine floor—lumber storage, no persons; 2nd floor, two families, 10 persons; and

WHEREAS, the applicant contends that the proposed alteration to #231 Atlantic avenue is to demolish the top story and make a roof of the present 3rd tier of beams, put in a new steel and concrete slab driveway on 1st floor and a new tier of wood beams for a mezzanine floor. All families are to be removed; proposes to build a new 1 story brick extension, 23 ft. high at the required rear yard and 27 ft. high elsewhere. At the rear of building remove present brick wall between this and present extension at rear of #229 Atlantic avenue and join them; that the Building Zone resolution provides for open spaces for purposes of ventilation; that the purpose of the 10 ft. minimum required rear yard at any level is to ventilate the block generally, therefore a limit of 23 ft. is prescribed, and also to ventilate any windows of a building on the lot concerned when these windows are on the line of the required rear yard. In this case there are no windows opening on the required rear yard. The windows to which the administrative order refers are 35 ft. from the line of the required rear yard and are ventilated by a legal court. If the order were carried out and the level of the required

rear yard dropped to the said window sills, double ventilation for said windows would result; that, where the windows referred to are not at the line of the 10 ft. required rear yard, the level of the required rear yard may start at 23 ft. above the curb level; and

WHEREAS, the Board deemed that the plans as filed meet the requirements of Section 17 as to rear yard requirements; and

WHEREAS, this action by the Board is merely an interpretation and not a variation of the Building Zone Resolution.

Resolved, that the decision of the Borough Superintendent be and it hereby is *reversed,* and the appeal be and it hereby is *granted.*

929-38-A

APPLICANT—I. L. Crausman, for Edwin Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—185 East 162nd street, north side, 110 ft. west of Sheridan avenue (Block No. 2461, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: I. L. Crausman.

For Administration: Insp. Harris, Dep't of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(929-38-A)

WHEREAS, I. L. Crausman, for Edwin Realty Corporation, owner, filed October 26, 1938, an appeal from a decision of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 185 East 162nd street, north side, 110 ft. west of Sheridan avenue (Block No. 2461, Lot No. 1), Borough of The Bronx; and

WHEREAS, the decision of the Borough Superintendent in N.B. App. 614-37, dated October 24, 1938, reads:

"A-1. Lot line windows should be glazed with good quality wire glass. Sec. 30 Multiple Dwelling Law."

and

WHEREAS, the building is 6 stories (65 ft.) in height, 6.54 ft. by 113.20 ft. in area, of non-fireproof construction; located in a residence, "B", area, district; to be occupied as a multiple dwelling throughout; and

WHEREAS, the applicant contends that the building in question is one of a series of three buildings erected on the block of 162nd street, between the Grand concourse and Sheridan avenue. In planning these buildings, the plot in single ownership is divided into three units, forming a corner plot on the Concourse and 162nd street, a corner plot on Sheridan avenue and 162d street, and an interior plot on 162d street, which is 106 ft. by 147 ft.; that a space is provided between the buildings approximately 20 ft., providing through light and ventilation. Although windows now indicated on this interior building may seem from a theoretical standpoint to be on the lot line, space is provided on either side of the building, so that at no time may any other structure be erected; that permanent light is provided for the center building, although the spaces on either side are considered a yard for the adjoining corner building. Because of the permanency of this condition, permission is requested for the use in the center building of ¼ in. plate glass in steel sash instead of wire glass in steel sash; and

WHEREAS, neither the Board of Standards and Appeals nor any administrative official has power to vary the Multiple Dwelling Law.

Resolved, that the decision of the Borough Superintendent, acting on N.B. App. No. 614-37, be and it hereby is *affirmed,* and the appeal be and it hereby is *denied.*

930-38-A

APPLICANT—H. S. Products Finishing Corporation, lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1768 Dean street, south side, 233 ft. 2 in. west of Rochester avenue (Block No. 1349, Lot Nos. 21 to 30), Borough of Brooklyn.

APPEARANCES—

For Applicant: B. C. Sprague.

For Administration: Insp. Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(930-38-A)

WHEREAS, H. S. Products Finishing Corporation, lessee, filed October 26, 1938, an appeal from an order of the Fire Commissioner, affecting premises 1768 Dean street, south side, 233 ft. 2 in. west of Rochester avenue (Block No. 1349, Lot Nos. 21 to 30) Borough of Brooklyn; and

WHEREAS, Order No. 75634-LC, issued by the Fire Commissioner June 3, 1938, reads:

"2. Extend terminal of duct used for ventilating spraying, dipping or immersing spaces to a point not less than 10 feet measured horizontally of any chimney outlet, unprotected air intake, or any door or window in any adjoining building. Rule 4.2.5, Spray Rules."

and

WHEREAS, the said order was repeated in a decision of the Fire Commissioner, dated October 13, 1938; and

WHEREAS, the building is 1 story (18 ft.) in height, 175 ft. by 104 ft. in area; of non-fireproof construction; erected in 1914; located in a business use district and occupied as follows: Cellar—boilerroom—0 persons ;1st floor—Enameling—30 persons. Certificate of Occupancy No. 2052 was issued October 12, 1931 for automobile paint shop; and

WHEREAS, the applicant contends that the present method of exhaust is safer, cleaner and more efficient than the one proposed; the only fire ever had was caused by spontaneous combustion of spray dust (lacquer, oil and synthetics) inside the exhaust pipes, similar to the ones the proposed order requests to install; if the proposed ducts are installed, they would again create a fire hazard because of the difficulties involved in cleaning them, whereas the present system is easy to clean and does not create a fire hazard; the 4 small windows in the adjacent building within 10 feet of exhaust fans are of fireproof glass in metal frames and are permanently closed. If necessary they can be covered with metal or some other fireproof material.

Resolved, that the Order of the Fire Commissioner No. 75634-LC be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that the windows in question in adjoining building shall be fireproof sash, glazed with wire glass and remain fixed at all times; that this variation of the requirements of Rule 4.2.5 of Paint Spray Rules shall continue *only so long* as this condition as herein required is maintained; and that the equipment and operation shall meet the requirements of the Rules and Regulations in all other respects.

940-38-A

APPLICANT—Aharon Chagachbanian, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—50-15 Skillman avenue, north side, 50 ft. west of 51st street (Block No. 129, Lot No. 69), Woodside, Borough of Queens.

APPEARANCES—

For Applicant: Nathan Hamberman and Aharon Chagachbanian.

For Administration: David Stone, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(940-38-A)

WHEREAS, Aharon Chagachbanian, owner, filed on October 27, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting Premises 50-15 Skillman avenue, north side, 50 ft. west of 51st street (Block No. 129, Lot No. 69), Woodside, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, dated October 25, 1938, re Alt. App. No. 7060-38, reads:

"1. Creating a store in a frame building is contrary to the Building Code (Sec. 4.1.5.D).

4. Required light and ventilation is reduced by the removal of a window. (Art. 5.B.C.)"

and

WHEREAS, the building is 2 stories (26 ft.) in height, 16.5 ft. by 42 ft. in area; of frame construction; located in a business use district; erected about 45 years ago; and occupied as follows: Cellar—storage; 1st floor, store and living rooms; 2nd floor, living rooms, 28 persons throughout the building; and

WHEREAS, the applicant contends that the building is in a dilapidated condition; that it is intended to alter same by providing a store on the front part of the first floor; the neighborhood is primarily business; the building in question is the only building on the block; that the building was purchased expressly for this purpose without knowledge of the new Building Code.

Resolved, that the decision of the Borough Superintendent, acting on Alt. App. No. 7060-38, objection Nos. 1 and 4, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the proposed extension for store use shall be constructed with masonry walls; that the building shall not be further extended in height or area and the side yards shall not be reduced; that the present front room on the first floor, if used as storeroom in connection with proposed store, shall be separated from the balance of building with partitions having fireproof doors at the openings; that this room shall not be used for living purposes, unless additional windows are installed in the exterior wall to the east; and that in all other respects the building and occupancy shall comply with the requirements of the Building Code and all laws, rules and regulations applicable to this construction and occupancy.

941-38-A.

APPLICANT—Magoon and Barone, for Francis L. Murphy, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—219-14 Merrick road, south side, 100 ft. east of 219th street (Block No. 3598, Lot No. 28), Springfield, Borough of Queens.

APPEARANCES—

For Applicant: Henry M. Barone.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(941-38-A)

WHEREAS, Magoon and Barone for Francis L. Murphy, owner, filed October 27, 1938, an appeal from a decision of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 219-14 Merrick road, south side, 100 ft. east of 219th street (Block No. 3598, Lot No. 28) Springfield, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent, dated October 14, 1938, on Alt. App. 7508-38, reads:

"The proposed change of occupancy from a residence to a business building, said building being of frame construction and within the fire limits is contrary to section 4.1.5. (not further considered)."

and

WHEREAS, the building is 2 stories (18 ft.) in height, 33 ft. by 23 ft. in area on a plot 75 ft. by 186.57 ft. in area, of frame construction; located partly in a business and partly in a residence use, "D" area, district; erected approximately in 1900 and proposed to be occupied as follows: Cellar—boiler room—no persons 1st floor—Chapel and living room, 25 persons; 2nd floor—bedrooms, 3 persons; and

WHEREAS, it is proposed to alter the present building by removal of two existing chimneys, erection of one new chimney with flue linings, removal of interior partitions on 1st floor, reinforcement of floor framing with wood joists, steel beams and Lally columns, fire retard the cellar ceiling to construct extensions 9 ft. 6 in. by 32 ft. in area at the front of the building and extension of 20 ft. 8 in. by 29 ft. in area at the rear of the building, to be used for dining room, kitchen, porch and toilets, both extensions to be of non-fireproof construction; and

WHEREAS, the applicant contends that the building is no longer desirable for residence occupancy; it is located in a sparsely built community of one family houses, one story business buildings and dwellings converted into business use; the 1st floor of the building is 1600 sq. ft. in area; that it is proposed to use 800 sq. ft. for the conduct of the business; that the building is separated from adjoining buildings; that there is no present proposal to use the portion of the plot located in the residence use district.

Resolved, that the decision of the Borough Superintendent, acting on Alt. App. No. 7508-38, be and it hereby is *modified* and the appeal be and it hereby is *granted on condition* that the building shall not be further extended; that the side yards shall not be reduced from their present width; that the extensions of building as proposed shall be constructed of brick walls, complying with the requirements of the Building Code; that the business occupancy shall not be extended above the first floor of building; that no part of business use shall be extended into the residential use district at the rear; and that in all other respects, the requirements of all laws, rules and regulations applying to construction and occupancy shall be complied with.

951-38-A.

APPLICANT—John J. Gilmartin, for New York Life Insurance Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—346-348 Broadway and 46-50 Lafayette street, southeast corner (Block No. 170, Lot No. 6), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Gilmartin.

For Administration: Insp. Maher, Fire Department.

MINUTES

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—

(951-38-A)

WHEREAS, John J. Gilmartin, for the New York Life Insurance Company, owner, filed on October 28, 1938, an appeal from an order of the Fire Commissioner, affecting premises 346-348 Broadway and 46-50 Lafayette street, southeast corner (entire block bounded by Broadway, Lafayette street and Catherine lane); (Block No. 170, Lot No. 6), Borough of Manhattan; and

WHEREAS, Order No. 1826-LF, issued by the Fire Commissioner, dated August 5, 1938, reads:

"1. Place rolling iron shutters on exterior openings facing on Catherine lane, in proper working order. 491a2-2.0, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the Fire Commissioner, dated September 30, 1938; and

WHEREAS, the building is 12 stories and basement (192 ft.) in height, 60 ft. by 400 ft. in area, of fireproof construction; equipped with a standpipe system; located in a business use district; erected in 1894 and occupied throughout as an office building, approximately 100 persons per floor; and

WHEREAS, the applicant contends that the shutters affected by the order are located on the south side of the building facing Catherine lane, the distance being approximately 21 ft. from the windows in the building affected by the order to the window openings in the rear of the four buildings facing on Worth street near Lafayette street and the one story building on Broadway; that the shutters in the premises at the present time are made of approximately 24 gauge metal and are of a rolling type, operated by pulling them down with ropes and fastening them on the inside of the building. The shutters are concealed above the window between the outside stone work of the building and the inside brick work and have been in the building since the date of its erection. Many of them have never been used, but most of them are defective. In view of that fact it would be impossible in some instances to repair the shutters and to replace them with other iron shutters, would be practically out of the question inasmuch as the windows are approximately 3 ft. wide and 12 ft. in height; that 301 openings are affected; that the present occupancy of the building does not present any great fire hazard; that the windows in the Worth street buildings backing up to Catherine lane, are provided with wire glass and iron shutters.

Resolved, that the Order of Fire Commissioner, No. 1826-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that all buildings on the southerly side of Catherine lane, constituting an exposure to the southerly building wall of building under appeal, shall have all windows protected with either fireproof windows glazed with metal glass or swinging or rolling shutters where such buildings are over one story in height; and that the windows in the southerly wall of the building under appeal shall be glazed with plate glass not less than ¼ in. thickness; and that this modification shall continue *only so long* as the building under appeal shall be used throughout for office occupancy.

959-38-A

APPLICANT—Jack Z. Cohen, for Crescent Laundry Service Incorporated, owner.

OBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—6202-6224 Ninth avenue, west side, from 62d street to 63d street, 874-884 62d street and 879-883 63d street (Block No. 5728, Lot Nos. 37 to 42), Borough of Brooklyn.

APPEARANCES—
For Applicant—Larry Meltzer, Robert H. Schlaak and Jack Garreff.
For Administration—Insp. Meyer, Fire Department.

ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—

(959-38-A)

WHEREAS, Jack Z. Cohen, for Cresent Laundry Service Incorporated, lessee, filed on October 31, 1938, an appeal from an order of the Fire Commissioner, affecting Premises 6202-6224 Ninth avenue, west side, between 62nd and 63rd streets, 874-884 62nd street and 879-883 63rd street (Block No. 5728, Lot Nos. 37 to 42), Borough of Brooklyn; and

WHEREAS, Order No. 72853-LC issued by the Fire Commissioner, reads:

"2. Separate the boiler room from remainder of premises by unpierced fireproof material.

3. Protect room containing units with approved fire retarding material and provide adequate means of ventilation in said room.

4. Separate drying tumbler from other equipment."

and

WHEREAS, said Order was repeated in decision of Fire Commissioner, dated October 24, 1938; and

WHEREAS, the building is one story (14 ft. and 19 ft.) in height, 200 ft. front by 40 ft. and 100 ft. in depth; of non-fireproof construction; equipped with a sprinkler system; located in unrestricted use district; erected in 1927 and occupied since 1936 as follows: 1st floor—wet wash laundry; mezzanine—storage; for which Certificate of Occupancy No. 42870 was issued January 26, 1927; and

WHEREAS, applicant contends that these premises are occupied entirely by one tenant as a wet wash laundry; sometime in the early part of 1936, the occupant had installed a small safety cleaning unit, manufactured by U. S. Hoffman Machinery Corporation, designed to operate with a solvent having a flash point of 140 degrees F. (Tag. closed cup tester) and listed and approved for use with this unit by the National Board of Fire Underwriters; that following the installation of this cleaning unit, the Fire Department issued the violation orders from which this appeal is taken; since the premises are occupied primarily as a wet wash laundry in a brick building located in an unrestricted use area, fronting on three streets, and is provided with an approved sprinkler system throughout, and the cleaning unit is only a small one having safety principles, and should not be subject to the standard dry cleaning requirements, and respectfully asks the Board to grant this appeal.

Resolved, that the decision of the Fire Commissioner as to Order No. 72853-LC, items 2, 3 and 4, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that no cleaning solvent shall be used on the premises having a flashpoint below 120 degrees fahr.; that the cleaning equipment shall be removed from boiler room for a distance of not less than 40 ft.; that the openings in boiler room partition shall be protected with metal-covered doors; that the room containing the dry-cleaning unit shall be supplied with windows opening to outer air, affording natural ventilation; that the sprinkler equipment shall be maintained to the satisfaction of the Fire Commissioner; that the portion of the building in which the dry-cleaning equipment is installed shall be equipped with skylights, having ridge ventilation openings to outer air, open at all times; that other equipment may be installed in same room in which the drying tumbler is installed; and that in all

other respects all laws, rules and regulatons applying to the building and occupancy shall be complied with.

963-38-A

APPLICANT—Levy & Berger, for San-Hal Realty Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough Superintendent of buildings.

PREMISES AFFECTED—1026 East 23rd street, west side, 190 ft. south of Avenue J (Block No. 7604, Lot No. 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Leo Berger.

For Administration' Samuel Cohen, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(963-38-A)

WHEREAS, Levy & Berger, for San-Hal Realty Corporation, owner, filed November 1, 1938, an appeal from a decision of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 1026 East 23rd street, west side, 190 ft. south of Avenue J (Block No. 7604, Lot No. 55), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent on Alt. App. 15542-38, dated October 21, 1938, reads:

"1. The use of more than two stories in a frame residence for 2 families is in violation of Code 8.7.2.1. Remove living quarters in attic."

and

WHEREAS, the building is 2 stories and attic (31 ft. 1 in.) in height, 28 ft. 4 in. by 36 ft. 4 in. in area, on a plot 50 ft. by 100 ft. in area; of frame construction; located in a residence use, "E" area, district; erected prior to 1909 and occupied as a one-family dwelling. It is proposed to alter the present building for occupancy as a two-family dwelling. No changes are proposed in the attic. It is proposed to occupy same in conjunction with the residence occupancy on the 2nd floor; and

WHEREAS, the applicant contends that lodge dwellings of this type have become a burden to owners, with a result that many have been abandoned or lost and in most cases a change to 2-family occupancy as proposed is the only solution.

Resolved, that the decision of the Borough Superintendent on Alt. App. 15542-38, objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* permitting the occupancy of the attic story, *on condition* that the building shall at no time be permitted to house more than two families, one on the first floor and one occupying the second floor and attic space and that an agreement signed by the owner, shall be filed with the Borough Superintendent, stipulating that this requirement shall be adhered to at all times; that a second means of exit shall be installed from the attic story consisting of a steel exterior fire escape ladder not less than 18 in. in width from the attic story to the 2nd story with a counterbalanced drop ladder to the ground.

965-38-A

APPLICANT—Morris Perlstein, for Isidore Geller and Clara Janiger, owners.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—3058 Brighton 5th street, west side, 177 ft. north of Brighton Beach avenue (Block No. 7284, Lot No. 1325), Borough of Brooklyn.

APPEARANCES—

For Applicant: Morris Perlstein.

For Administration: Samuel Cohen, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Absent 0

THE RESOLUTION—

(965-38-A)

WHEREAS, Morris Perlstein, for Isidore Geller and Clara Janiger, owners, filed on November 1, 1938, an appeal from a decision of the Acting Borough Superintendent of Buildings, affecting Premises 3058 Brighton 5th street, west side, 177 ft. north of Brighton Beach avenue (Block No. 7284, Lot No. 1325), Borough of Brooklyn; and

WHEREAS, the decision of the Acting Borough Superintendent, re App: No. 11657-38, dated October 25, 1938, reads:

"M.D.L.—1—Second story rear extension cannot exceed 25% of the existing floor area at the time building was converted. Sect. 172-A."

and

WHEREAS, the building is 2 stories and basement (25 ft.) in height, 19 ft. by 59 ft. in area; of frame construction; erected in 1922; located in residence use district and occupied as follows: Basement—one family; 1st floor—one family; 2nd floor—one family; and

WHEREAS, applicant contends that plans have been filed and approved for an extension on the rear of a basement and two story high, frame, stucco building; this new extension is to be built of approved cement concrete blocks; the first floor of this new extension is to be 23 ft. 6 in. deep and the second floor 12 ft. 9 in. deep; this plan was approved November 7, 1936; that the owner has contracted this alteration to a general contractor to construct the entire new extension; this general contractor instead of erecting this extension as per approved plans, induced the owner to have the extension built on both floors 23 ft. 6 in. deep; the contractor making this change in ignorance of the law and without consulting the architect; upon the erection of the extension the owner was served with a violation from the Department of Buildings for building this extension not in accordance with the approved plan; that this building is a heretofore converted Multiple Class A Dwelling and occupied by one family on each floor; there is now a rear yard of 13 ft. for this building, which could be considered a legal yard for a two-story building and there are also side courts on each side; and

WHEREAS, neither the Board nor any administrative official has power to vary the requirements of the Multiple Dwelling Law.

Resolved, that the decision of the Acting Borough Superintendent, on App. No. 11657-38 be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

971-38-A.

APPLICANT—Erwin Rebafka, for U. S. Trust Company of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—356 Broadway, east side, 86 ft. north of Leonard street (Block No. 171, Lot No. 4), Borough of Manhattan.

APPEARANCES—

For Applicant—Erwin Rebafka.

For Administration: Insp. Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0
Absent 0

THE RESOLUTION—

(971-38-A)

WHEREAS, Erwin Rebafka, for U. S. Trust Company of New York, owner, filed November 2, 1938, an appeal from an order of the Fire Commissioner, affecting premises 356 Broadway, east side, 86 ft. north of Leonard street (Block No. 171, Lot No. 4), Borough of Manhattan; and

WHEREAS, Order No. 2281-LF, issued by the Fire Commissioner, September 13, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar and sub-cellar having at least one source of water supply arranged and equipped as per Article 16, Chapter 26, Administrative Code."

and

WHEREAS, the said order was referred to in a decision of the Fire Commissioner, dated October 14, 1938; and

WHEREAS, the building is 5 stories (80 ft.) in height 30 ft. by 175 ft. in area, of non-fireproof construction; located in an unrestricted use district; erected prior to 1892 and occupied as follows: Sub-cellar—vacant; Cellar—storage of office furniture—1 person; 2nd, 3rd and 4th floors—vacant; and

WHEREAS, the applicant contends that compliance with the order would create a hardship; that although there may be some justification for the requirement for sprinklers below grade, there is no justification for applying the order to only a portion of the building; that considerable relief would be granted if the necessity for city main and water meter connections was dispensed with; that housekeeping conditions in the basement are good; that it is proposed to install a non-automatic dry sprinkler system without the approved automatic fire alarm and headquarter's connection and in lieu of the regular siamese, a single 3 in. or 4 in. pipe placed close to the front of the building, provided with a hose coupling connection of approved design; that access to the basement may be had in Benson place through two large iron doors. In an emergency the vault lights on Broadway front can be easily demolished for purposes of access or ventilation; that in view of the fact that the sub-basement is vacant, it is proposed to install a non-automatic dry system without the approved automatic fire alarm and headquarter's connection in the basement only.

Resolved, that the order of the Fire Commissioner, No. 2281-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the basement, a non-automatic dry sprinkler system, complying in all respects with the requirements of Article 16 for such type of system, except for the omission of the automatic fire alarm and that all fittings shall be of malleable iron; that the sub-cellar shall remain vacant and unoccupied at all times; that the siamese connection need be installed on the Broadway front only.

972-38-A.

APPLICANT—Erwin Rebafka, for The Rector, Church Wardens and Vestrymen of St. George's Church in the City of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—146 Chambers street, south side, 100 ft. west of West Broadway (Block No. 137, Lot No. 33), Borough of Manhattan.

APPEARANCES—

For Applicant—Erwin Rebafka.

For Administration: Insp. Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(972-38-A)

WHEREAS, Erwin Rebafka, for The Rector, Church Wardens and Vestrymen of St. George's Church in the City of New York, owner; filed on November 2, 1938, an appeal from an order and a decision of the Fire Commissioner, affecting Premises 146 Chamber street, south side, 100 ft. west of West Broadway (Block No. 137, Lot No. 33), Borough of Manhattan; and

WHEREAS, Order No. 1980-LF, issued by the Fire Commissioner on August 13, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar and sub-cellar having at least one source of water supply, arranged and equipped as per Article 16, Chapter 26, Administrative Code."

and

WHEREAS, said Order was referred to in decision of the Fire Commissioner dated October 13, 1938; and

WHEREAS, the building is 5 stories (60 ft.) in height; 25 ft. by 70 ft. in area; of non-fireproof construction located in an unrestricted use district; erected prior to 1888 and occupied as follows: Sub-cellar—storage of toys and bicycles; no persons; Cellar—storage and repair of bicycles; no persons; 1st floor—salesroom, 8 persons; 2nd floor—storage of toys—no persons; 3rd floor—repairing scales; 5 persons; 4th floor—storage of toys; 5th floor—storage of toys; no persons; and

WHEREAS, the applicant contends that compliance with the Order would create an undue hardship on the owners; there is no justification of applying the existing sprinkler rules to only a portion of the building, particularly basement and sub-basement; that relief would be granted if it were possible to eliminate the city main and water main connections; that the premises are equipped with a perforated pipe equipped with individual siamese connections for the sub-basement; that basement is accessible by means of a chute from the Chambers street sidewalk and electric elevators; basement can be ventilated by means of three windows in rear wall leading to court; that it is proposed to clean the existing perforated pipe equipment or replace said pipe with new approved size, equipped with one sprinkler head for every 100 sq. ft. and retain the existing siamese connections and to omit the fire alarm connection to headquarters.

Resolved, that the order of the Fire Commissioner, No. 1980-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the existing perforated piping system shall be put in good working condition, to the satisfaction of the Fire Commissioner, and in both the cellar and sub-cellar together with the siamese connection at the Chambers street front shall connect with the system on each story; that the sprinkler requirements for connection to the city main and the automatic alarm may be dispensed with.

973-38-A.

APPLICANT—Erwin Rebafka, for Bowery Savings Bank, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—523 Broadway, west side, 50 ft. south of Spring street (Block No. 484, Lot No. 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Erwin Rebafka.

For Administration: Insp. Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

MINUTES

THE RESOLUTION—

(973-38-A)

WHEREAS, Erwin Rebafka, for Bowery Savings Bank, owner, filed November 2, 1938, an appeal from an order of the Fire Commissioner, affecting premises 523 Broadway, west side, 50 ft. south of Spring street (Block No. 484, Lot No. 11), Borough of Manhattan; and

WHEREAS, Order No. 2111-LF, issued by the Fire Commissioner August 23, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar and sub-cellar having at least one source of water supply arranged and equipped as per Article 16, Chapter 26, Administrative Code."

and

WHEREAS, said order was repeated in a decision of the Fire Commissioner, dated October 18, 1938; and

WHEREAS, the building is 5 stories (72 ft.) in height, 24 ft. by 100 ft. in area on 1st floor and 24 ft. by 60 ft. in area at typical floor level; of non-fireproof construction; located in an unrestricted use district; erected prior to 1884 and occupied as follows: Sub-cellar—storage of office furniture—no persons; Cellar—same—no persons; 1st floor—storage and sale of office furniture—2 persons; 2nd and 3rd floor—store—3 persons; 4th and 5th floors—vacant; and

WHEREAS, the applicant contends that compliance with the order would create a hardship; that although there may be some justification for the requirement for sprinklers below grade, there is no justification for applying the order to only a portion of the building; that considerable relief would be granted if the necessity for city main and water meter connections was dispensed with; that housekeeping conditions in the basement are good. It is proposed to install a non-automatic dry sprinkler system without the approved automatic fire alarm and headquarter's connection and in lieu of the regular siamese, a single 3 in. or 4 in. pipe placed close to the front of the building, provided with a hose coupling connection of approved design. Access may be had to the basement by means of a sidewalk elevator and steps under the sidewalk doors. At the rear of the basement are two windows and one large pair of double doors leading to the court. The sub-basement can be reached by means of the sidewalk elevator to the street. The rear sub-basement wall has three doors which lead to the rear court. Perforated pipes are now located in the basement and sub-basement. The two siamese connections originally connected to such pipes have been disconnected. It is proposed to install a non-automatic dry sprinkler system without the approved automatic fire alarm system and Fire Dept. headquarters connection.

Resolved, that the order of the Fire Commissioner, No. 2111-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the existing perforated piping system in the cellar and sub-cellar shall be put in good working condition to the satisfaction of the Fire Commissioner; that if the siamese connections to the building line at Broadway have been removed, same shall be restored, or in lieu of siamese connection, there shall be a separate hose coupling connection of approved design placed at the Broadway building line with one such connection for each story and with proper labeling placed thereon, indicating the story connection.

974-38-A.

APPLICANT—Erwin Rebafka, for Estate of William and Emily Kent (Wm. Kent, trustee) and Lord Revelstoke, et al. (Chauncey Belknap, agent), owners.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—831 Broadway, west side, 50 ft. south of East 13th street (Block No. 564, Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Erwin Rebafka.

For Administration: Insp. Maher, Fire Department.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(974-38-A)

WHEREAS, Erwin Rebafka, for William Kent, Trustee, Lord Revelstoke, et al., owners, filed November 2, 1938, an appeal from an order of the Fire Commissioner, affecting premises 831 Broadway, west side, 50 ft. south of East 13th street (Block No. 564, Lot No. 17), Borough of Manhattan; and

WHEREAS, the order of the Fire Commissioner, No. 1939-LF, dated August 11, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply arranged and equipped as per Art. 16, Ch. 26, Administrative Code."

and

WHEREAS, the said order was repeated in a decision of the Fire Commissioner dated October 14, 1938; and

WHEREAS, the building is four stories (68 ft.) in height, 37 ft. by 80 ft. in area; of non-fireproof construction; located in a business use district; erected prior to 1899 and occupied as follows: Cellar—storage and sales of sporting goods—4 persons; 1st floor, store—25 persons; 2nd, 3rd and 4th floors—storage—no persons occupied by Davega); and

WHEREAS, the applicant contends that compliance with the order would create a hardship; that although there may be some justification for the requirement for sprinklers, below grade, there is no justification for applying the order to only a portion of the building; that considerable relief would be granted if the necessity for city main and water meter connections was dispensed with; that housekeping conditions in the basement are good. It is proposed to install a non-automatic dry sprinkler system without the approved automatic fire alarm and headquarter's connection; and in lieu of the regular siamese, a single 3 inch or 4 inch pipe placed close to the front of the building, provided with a hose coupling connection of approved design. Access to the basement may be had through the stairway near the entrance on the north side of the store on the Broadway front and also to the elevator from court yard level at rear.

Resolved, that the order of the Fire Commissioner, No. 1939-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar a non-automatic dry sprinkler system, complying in all respects with the requirements therefor, as set forth in Article 16 of the Administrative Code, except that the automatic fire alarm connection may be omitted and in lieu of the siamese at the street building line, there may be installed a single hose connection, properly labelled and that all fittings shall be of malleable iron.

975-38-A

APPLICANT—Robert D. Kohn and John J. Knight, for R. H. Macy & Co., Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—47-28 30th place, west side, 203 ft. 6⅞ in. north of 48th (Anable) avenue (Block No. 283, Lot Nos. 1 and 38), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: John J. Knight.

For Administration: David Stone, Dept. of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

MINUTES

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(975-38-A)

WHEREAS, Robert D. Kohn and John J. Knight, for R. H. Macy & Co., Inc., owner, filed November 2, 1938, an appeal from a decision of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 47-28 30th place, west side, 203 ft. 6⅞ in. north of 48th (Anable) avenue (Block No. 283, Lots 1 and 38), Long Island City, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent on Alt. App. 4976-38, dated October 24, 1938, reads:

"Your request for a change in occupancy from a storage shed to a non-storage garage is denied. Sect. 4.2.1 of Code allows an area of only 7500 sq. ft. when building fronts on one street."

and

WHEREAS, the building is 1 story (29 ft.) in height, 150 ft. 3¾ in. by 127 ft. 6⅞ in. in area, of non-fireproof construction; located in an unrestricted use district; erected in 1900 and occupied as a shed for storage of yard cranes; and

WHEREAS, it is proposed to occupy same as a non-storage garage; and

WHEREAS, the applicant contends that the building is constructed of exposed structural steel with 2 in. wood plank roof, covered with tar and felt and it is proposed to construct a 10 ft. high wood fence, enclosing same and change the use to a non-storage garage; that this building as originally constructed with the addition of column fire-proofing to the bottom of cord members of trusses would meet the requirements for a one-story fireproof structure and would be entitled to a certificate of occupancy for a non-storage garage of unlimited area; that the proposed use is similar to a parking lot roofed over and should not be judged as a fully enclosed building; that subdividing this structure into areas not exceeding 7500 square feet, would be undue hardship, as soil conditions are such that piles would be required to support the firewall.

Resolved, that the decision of the Borough Superintendent, acting on Alt. App. No. 4976-38, be and it hereby is *modified,* and the appeal be and it hereby is *granted,* permitting the structure to be used as a non-storage garage as proposed, *on condition* that the structure shall not be increased in height or area and that the partial enclosures as proposed on the side lines shall be maintained; and granted only so long as the building is used as a storage space for the trucks used in connection with the business of R. H. Macy & Co., Inc.

976-38-A

APPLICANT—Croker Fire Prevention Corporation, for Bowling Green Storage and Van Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—248-252 West 65th street, south side, 150 ft. east of West End avenue (Block No. 1156, Lot No. 56), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney Strauss.

For Administration: Insp. Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(976-38-A)

WHEREAS, Croker Fire Prevention Corporation, for Bowling Green Storage and Van Company, owner, filed November 2, 1938, an appeal from an order and a decision of the fire commissioner acting premises: 248-252 West 65th street, south side, 150 ft. east of West End avenue (Block No. 1156, Lot No. 56), Borough of Manhattan; and

WHEREAS, Order No. 2362-LF, issued by the Fire Commissioner, September 16, 1938, reads:

"9—Provide a reserve water supply of at least 2500 gallons for standpipe system so arranged as to give a hydrostatic pressure of at least 5 pounds at highest hose valve under main roof in accordance with article 17, Chapter 26, of the Administrative Code."

and

WHEREAS, the said order was repeated in a decision of the Fire Commissioner, dated October 27, 1938; and

WHEREAS, the building is 7 stories (85 ft. 7 in.) in height, 75 ft. by 105 ft. in area, of fireproof construction, equipped with a sprinkler system in the cellar and a standpipe system throughout the building, located in an unrestricted use district; erected in 1907 and 1911 and occupied throughout as a furniture storage warehouse; and

WHEREAS, the applicant contends that the building exceeds the 85 ft. height requirement by only 7 inches; that there is no human occupancy above the first floor; that the building is equipped with a standpipe system installed in accordance with the requirements of the law, except for a gravity tank and requests that due to the fact that no heat is maintained throughout the upper part of the building at any time, permission be granted to eliminate the standpipe gravity tank on the roof; that there is a siamese connection for Fire Department use; that the various hose outlets, etc., will be maintained throughout the building, all to be equipped with necessary hose valves, hose nozzles, etc.

Resolved, that the order of the Fire Commissioner, Order No. 2362-LF, item No. 9, be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that the building shall not be further increased in height or area; and that the system in all other respects meets the requirements of the Building Code, Article 17, as applying to existing installations.

979-38-A.

APPLICANT—George H. Suess, for Loreto Rubino, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—2065 West Seventh street, east side, 180 ft. north of Avenue U (Block No. 7099, Lot No. 54), Borough of Brooklyn.

APPEARANCES—

For Applicant: George H. Suess.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(979-38-A)

WHEREAS, George H. Suess, for Loreto Rubino, owner, filed November 3, 1938, an appeal from a decision of the acting borough superintendent of buildings affecting premises 2065 West Seventh street, east side, 180 ft. north of Avenue U, (Block No. 7099, Lot No. 54), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent of housing and buildings, on Alteration Application No. 14821-38, dated November 2, 1938, reads:

"Proposed change of occupancy from one to two families in a 2 story and attic frame building is contrary to 2-1-3-5 and 8-7-2-1 of the code."

and

WHEREAS, the building is 2 stories and attic (28 ft.) in height, 24 ft. by 24 ft. in area on a plot 40 ft. by 100 ft. of frame construction, located in a residence use, "B" district erected in 1909 and occupied as a 1 family dwelling; it is proposed to change the occupancy to 1st floor, 1 family; 2nd floor and attic, 1 family, total, 2 families; and

WHEREAS, the applicant contends that the attic rooms are now in and no changes are to be made and requests the use of the attic in conjunction with the second floor, for use of one family.

Resolved, that the decision of the Borough Superintendent, acting on Alt. App. No. 14821-38, be and it hereby is *modified,* and that the appeal be and it hereby is *granted on condition* that the building shall at no time be permitted to be occupied by more than two (2) families, one occupying the first floor and the other the 2nd floor and attic; that there shall be filed with the Borough Superintendent an agreement by the owner, that at no time will the building be occupied by more than two (2) families; that the second means of exit shall be installed from attic story, consisting of a stair or ladder not less than 18 in. in width and extending from attic story to 2nd story and thence to court by drop ladder; that the plot on which the building is erected shall not be reduced and the building shall not be increased in height or area.

980-38-A.

APPLICANT—George H. Suess, for Mary Wetteroth, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—885 East Seventh street, east side, 135 ft. north of Avenue H (Block No. 6495, Lot No. 49), Borough of Brooklyn.

APPEARANCES—

For Applicant: George H. Suess.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(980-38-A)

WHEREAS, George H. Suess, for Mary Wetteroth, owner, filed November 3, 1938, an appeal from a decision of the Acting Borough Superintendent of Buildings affecting premises: 885 East Seventh street, east side, 135 ft. north of Avenue H (Block No. 6495, Lot No. 49), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent of Buildings, on Alteration Application No. 15262-38, dated November 2, 1938, reads:

"1. Proposed change of occupancy to 2 families in a 2 story and attic frame building is contrary to 2-1-3-5 and 8-7-2-1 of the Code."

and

WHEREAS, the building, located on a lot 25 ft. by 199 ft., in a residence use, "C" area district, is two stories and attic (22 ft. 6 in.) in height, 17 ft. by 37 ft. in area, of frame construction, erected in 1915 and occupied as a 1 family dwelling; it is proposed to change the occupancy to first floor, 1 family; 2nd floor and attic, 1 family, total of 2 families, and

WHEREAS, applicant contends that the attic rooms are now in and no changes are to be made and requests the use of the attic in conjunction with the second floor, for use of one family.

Resolved, that the decision of the Borough Superintendent, acting on Alt. App. No. 15262-38, be and it hereby is *modified,* and that the appeal be and it hereby is *granted on condition* that the building shall at no time be permitted to be occupied by more than two (2) families, one occupying the first floor and the other the 2nd floor and attic; that there shall be filed with the Borough Superintendent an agreement by the owner, that at no time will the building be occupied by more than two (2) families; that the second means of exit shall be installed from attic story, consisting of a stair or ladder not less than 18 in. in width and extending from attic story to 2nd story and thence to court by drop ladder; that the plot on which the building is erected shall not be reduced and the building shall not be increased in height or area.

982-38-A

APPLICANT—S. & M. Luloff, for Joharco Realty Corporation, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—453 West 17th street, north side, 100 ft. east of Tenth avenue (Block No. 715, Lot No. 5), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Luloff.

For Administration: Insp. Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(982-38-A)

WHEREAS, S. & M. Luloff, for Joharco Realty Corporation, owner, filed on November 3, 1938, an appeal from an order and a decision of the Fire Commissioner, affecting premises: 453 West 17th street, north side, 100 ft. east of Tenth avenue (Block No. 715, Lot No. 5), Borough of Manhattan; and

WHEREAS, Order No. 1862-LF, dated August 9, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply arranged and equipped as per Article 16, Chapter 26, Administrative Code."

and

WHEREAS, said Order was referred to in decision of the Fire Commissioner, dated October 4, 1938; and

WHEREAS, the building is 4 stories (50 ft.) in height; 50 ft. by 86 ft. 6 in. in area; of non-fireproof construction; located in an unrestricted use district; erected in 1902 and occupied throughout for storage of paper; and

WHEREAS, applicant contends that there is a means of entrance into the cellar from the street; that combustible stock has been eliminated from the cellar; that there is no life hazard in the cellar; that no more than ten people are employed in the building; and that compliance with this order will work an undue financial hardship upon the owner.

Resolved, that the decision of the Fire Commissioner on Order No. 1862-LF be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar, a non-automatic dry sprinkler system, complying in all respects with Article 16 of the Administrative Code, except that the fire alarm connection may be omitted; and that all fittings shall be of malleable iron.

987-38-A

APPLICANT—Oceanic Sprinkler Company, Inc., for 367 West 23rd Street, Inc., owner.

SUBJECT—Appeal from a decision of the fire commissioner.
PREMISES AFFECTED—628-636 West 47th street, south side, 25 ft. east of Twelfth avenue (Block No. 1094, Lot No. 49), Borough of Manhattan.
APPEARANCES—
For Applicant: None.
For Administration: Inspector Maher, Fire Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(987-38-A)

WHEREAS, Oceanic Sprinkler Company, Inc., for 367 West 23rd Street, Inc., owner, filed on November 4, 1938, an appeal from a decision of the Fire Commissioner, affecting Premises 628-636 West 47th street, south side, 25 ft. east of Twelfth avenue (Block No. 1094, Lot No. 49), Borough of Manhattan; and

WHEREAS, the decision of the Fire Commissioner on Plan No. 636-38, dated October 28, 1938, reads:

"Replying to your inquiry, you are advised that the only violation pending against the sprinkler system is that the curb box has not been approved by the Board of Standards and Appeals."

nd

WHEREAS, the building is one story in height, 125 ft. by 00 ft. in area; located in unrestricted use district; erected 1 1937 and occupied as a silk-dyeing plant, 20 persons; and

WHEREAS, the applicant contends that the city connection nstalled was done in accordance with the rules and regulaons of the Department of Water Supply, Gas and Elec-icity; the only question involved in this matter is the curb ox and it is understood that no curb box manufactured at ie present time has been approved by the Board of Stand-ds and Appeals.

Resolved, that the decision of the Fire Commissioner, re lan No. 636-38, be and it hereby is *modified* and that the peal be and it hereby is *granted on condition* that the rb box shall be in its proper location, as required by the de and that pending approval by the Board of the curb x for general use, this installation shall be accepted, if stalled to the satisfaction of the Fire Commissioner, proded that in the event the box is not ultimately approved the Board, the same shall be removed and an approved x substituted.

3-38-A.
PPLICANT—William Adelman, President, for Fresh Meadow Homes, Inc., owner.
BJECT—Appeal from decisions of the borough superintendent of buildings.
EMISES AFFECTED—69-77 and 69-81 181st street, northeast corner of 73rd avenue (Block No. 7133, Lot No. 16), Flushing, Borough of Queens.
PEARANCES—
For Applicant: William Adelman.
For Administration: David Stone, Dept. of Housing and Buildings.
TION OF BOARD—Appeal granted on condition.
E VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

E RESOLUTION—

(988-38-A)

HEREAS, William M. Adelman, President of the Fresh dow Homes, Incorporated, owner, filed on November 38, an appeal from decisions of the Borough Superintendent, affecting premises 69-77 and 69-81 181st street, northeast corner of 73rd avenue (Block No. 7133, Lot No. 16), Flushing, Borough of Queens; and

WHEREAS, the decisions of the Borough Superintendent on N.B. 8174-38 and N.B. 8181-38, dated October 20, 1938, read:

"The erection of a frame building in the fire limits is contrary to Sec. 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot 82.84 ft. by 100 ft. in area, on which it is proposed to erect 2 two-story frame, one-family dwellings, each 24 ft. by 28 ft. in area, 26 ft. in height; located in a business use "D" district; and

WHEREAS, the applicant contends that the area in which these buildings are to be located is rural in character and no business structure is within considerable distance of the proposed dwellings; that the use of the street for business purposes is impracticable, inasmuch as there are sufficient business streets in the neighborhood to serve any residential area; that to leave the spot unbuilt would constitute a detriment and eyesore for the neighborhood for many years to come for the plot may never have any commercial value; that the buildings will be surfaced on the exterior with four inches of brick on the first story and cement and stucco on the second story; that the roofs of the buildings will be covered with slate; the distance between the buildings will be at least eleven feet.

Resolved, that the decisions of the Borough Superintendent on N.B. 8174-38 and N.B. 8181-38, be and they hereby are *modified* and that the appeal be and it hereby is *granted*, to permit the erection of the buildings as proposed, *on condition* that each building shall be for residential purposes only, limited in occupancy to one family each and that it shall comply with the zoning requirements for an "E" residential district, except that the setback on 73d avenue may be not less than 12 feet and except that the buildings may exceed 18 feet in height up to the plate line, provided such height does not exceed 26 feet; that the buildings shall be faced with masonry veneer at least for the 1st story in height and that the roofs shall be surfaced with natural slate; that chimney breasts may extend into the side yard areas for a distance of not over two feet in depth; that interior bearing partitions may be permitted as required for an area outside the fire limits; that a private garage for not over two cars may be constructed on each plot, *on condition* that such garage is for the accommodation of not more than two cars each for the sole use of the occupants of the dwelling on the plot; same shall be constructed of masonry veneer and slate roofs corresponding to the construction of the residential buildings; that any windows less than three feet from the lot line shall be constructed with metal frames, glazed with wire glass and made self-closing; that any portion of the garages not faced with masonry, if within three feet of the lot line, shall be fire-retarded.

1002-38-A.
APPLICANT—Gross-Morton Jamaica Estates Corporation, owner.
SUBJECT—Appeal from decisions of the borough superintendent of buildings.
PREMISES AFFECTED—73-03, 73-07 and 73-11 183rd street, southeast corner of 73rd avenue and east side of 183rd street, 41.87 ft. and 81.87 ft. south of 73rd avenue (Block No. 7171, Lot No. 1), Flushing, Borough of Queens.
APPEARANCES—
For Applicant: George M. Gross.
For Administration: David Stone, Dept. of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1002-38-A)

WHEREAS, Gross-Morton Jamaica Estates Corporation, owner, filed November 9, 1938, an appeal from decisions of the Borough Superintendent of buildings affecting premises 73-03, 73-07 and 73-11 183rd street, southeast corner of 73rd avenue and east side of 183rd street, 41.87 ft. and 81.87 ft. south of 73rd avenue (Block No. 7171, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the Borough Superintendent on N.B. Application Nos. 7374-38, 7375-38 and 8594-38, dated October 31, 1938, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code."

WHEREAS, premises consist of a plot running 100.87 ft. on the south side of 173rd avenue, 121.87 ft. on the east side of 183rd street, upon which it is proposed to erect three 2-story one-family dwellings, 23 ft. in height, 27 ft. by 24 ft., 23 ft. by 26 ft. and 23 ft. by 26 ft. respectively, in area and three private garages. The premises are located partly in a business and partly in a residence use "D" area district; and

WHEREAS, applicant contends the area is rural in character and no business structure is within considerable distance of the proposed dwellings. The use of the street for business purposes is impracticable, inasmuch as there are sufficient business streets in this neighborhood to serve any residential area. To leave the spot unbuilt would constitute a detriment and eyesore to the neighborhood for many years to come, for the plot may never have any commercial value.

Resolved, that the decisions of the Borough Superintendent on N.B. App. Nos. 7374-38, 7375-38 and 8594-38, be and they hereby are *modified* and that the appeal be and it hereby is *granted*, to permit the erection of buildings as proposed, *on condition* that each building shall be for residential purposes only, limited in occupancy to one family each and shall comply with the zoning requirements for an "F" area residential district, except that the setback on 73rd avenue shall be not less than 9 ft, and except that the buildings may exceed 18 ft. in height up to the plate line, provided the height up to that point is not in excess of 25 ft. and that the first story of the buildings shall be faced with masonry veneer and the roofs shall be surfaced with natural slate and except that the chimney breasts may extend into the side yard areas for a distance of not over two feet in depth; and except that one side yard need not be more than 5 ft. in width, into which the chimney breasts may project as hereinbefore provided and provided that the distance between buildings shall be not less than 15 ft.; that the interior bearing partitions may be permitted as required for an area outside the fire limits; that a private garage for not more than two cars may be constructed on each plot, *on condition* that such garage is for the accommodation of not more than two cars and for the sole use of the occupants of the dwelling on the plot; that the garage buildings shall be constructed with masonry veneer and slate roofs; that any windows less than three feet from the lot lines shall be constructed of metal frames, glazed with wire glass and made self-closing; that any portion of the building within 3 feet of the lot line and not of masonry-veneer, shall be fire-retarded.

1003-38-A.

APPLICANT—Gross-Morton Jamaica Estates Corporation,, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—73-04, 73-08 and 73-12 183d street, southwest corner of 73d avenue, and west side of 183d street, 53.85 ft. and 93.85 ft. south of 73d avenue (Block No. 7170, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: George M. Gross.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(1003-38-A)

WHEREAS, Gross-Morton Jamaica Estates Corporation, filed November 9, 1938, an appeal from decisions of the Borough Superintendent, Department of Housing and Buildings, affecting premises 73-04, 73-08 and 73-12 183rd street, southwest corner of 73rd avenue and west side of 183rd street, 53.85 ft and 93.85 ft. south of 73rd avenue (Block No. 7170, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the Borough Superintendent on N. B. Application Nos. 7363-38, 7364-38 and 8595-38, dated October 25, 1938, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code." and

WHEREAS, the premises consist of a plot fronting 100.87 ft. on the south side of 73rd avenue, 153.85 ft. on the west side of 183rd street, upon which it is proposed to erect three 2 story frame one family dwellings, 23 feet in height two 23 ft. by 26 ft. and one 27 ft. by 24 ft. in area, and three private garages. Premises are located partly in a residence and partly in a business use "D" area district, and

WHEREAS, the applicant contends the area is rural in character and no business structure is within considerable distance of the proposed dwellings. The use of the street for business purposes is impracticable, inasmuch as there are sufficient business streets in this neighborhood to serve any residential area. To leave the spot unbuilt would constitute a detriment and eyesore to the neighborhood for many years to come for the plot may never have any commercial value.

Resolved, that the decisions of the Borough Superintendent on N. B. App. Nos. 7363-38, 7364-38 and 8595-38, be and they hereby are *modified* and that the appeal be and it hereby is *granted*, to permit the erection of buildings as proposed, *on condition* that each building shall be for residential purposes only, limited in occupancy to one family each and shall comply with the zoning requirements for an "F" area residential district, except that the setback on 73d avenue shall be not less than 9 feet, and except that the buildings may exceed 18 feet in height up to the plate line provided the height up to that point is not in excess of 25 feet and that the first story of the buildings shall be faced with masonry veneer and the roofs shall be surfaced with natural slate and except that the chimney breasts may extend into the side yard areas for a distance of not over two feet in depth and except that one side yard need not be more than 5 feet in width, into which the chimney breasts may project as hereinbefore provided and provided that the distance between buildings shall be not less than 15 feet; that the interior bearing partitions may be permitted as required for an area outside the fire limits; that a private garage for not more than two cars may be constructed on each plot, *on condition* that such garage is for the accommodation of not more than two cars and for the sole use of the occupants of the dwelling on the plot; that the garage buildings shall be constructed with masonry veneer and slate roof; that any windows less than three feet from the lot lines shall be constructed of metal frames glazed with wire glass and made self-closing; that any portion of the building within 3 feet of the lot line and not of masonry-veneer shall be fire-retarded.

MINUTES

1004-38-A.

APPLICANT—Gross-Morton Jamaica Estates Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—75-75 and 75-81 183d street, northeast corner of Union turnpike and east side of 183d street, 45.01 ft. north of Union turnpike (Block No. 7200, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: George M. Gross.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1004-38-A)

WHEREAS, Gross-Morton Jamaica Estates Corporation, owner, filed on Novemer 9, 1938, an appeal from decisions of the Borough Superintendent, Department of Housing and Buildings affecting premises 75-75 and 75-81 183d street, northeast corner Union turnpike and east side of 183d street, 45.01 ft. north of Union turnpike (Block No. 7200, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the Borough Superintendent on N.B. Application Nos. 7387-38 and 7393-38, dated October 25, 1938, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code."

ınd

WHEREAS, the premises consist of a plot fronting 100.48 t. on the north side of Union turnpike and 95.01 ft. on he east side of 183d street, upon which it is proposed to rect two 2-story frame one-family dwellings, 23 ft. in eight, 27 by 24 ft. in area and 25 ft. by 32 ft. in area, espectively and two private garages. The plot is located n a business use "D" area district; and

WHEREAS, the applicant contends the area is rural in haracter, and no business structure is within considerable istance of the proposed dwellings. The use of the street or business purposes is impracticable, inasmuch as there re sufficient business streets in this neighborhood to serve ny residential area. To leave the spot unbuilt, would onstitute a detriment and eyesore to the neighborhood for any years to come, for the plot may never have any ommercial value.

Resolved, that the decisions of the Borough Superinndent on N.B. App. Nos. 7387-38 and 7393-38, be and they ereby are *modified* and that the appeal be and it hereby is *ranted*, to permit the erection of buildings as proposed, *condition* that each building shall be for residential rposes only, limited in occupancy to one family each d shall comply with the zoning requirements for an "F" ea residential district, except that the setback on Union rnpike shall be not less than 7 ft., and except that the ildings may exceed 18 ft. in height up to the plate line, ovided the height up to that point is not in excess of ft. and that the first story of the buildings shall be ced with masonry veneer and the roofs shall be surfaced th natural slate and except that the chimney breasts may tend into the side yard areas for a distance of not over o feet in depth; and except that one side yard need not more than 5 feet in width, into which the chimney asts may project as hereinbefore provided and provided t the distance between buildings shall be not less than feet; that the interior bearing partitions may be perted as required for an area outside the fire limits; that a private garage for not more than two cars may be constructed on each plot, *on condition* that such garage is for the accommodation of not more than two cars and for the sole use of the occupants of the dwelling on the plot; that the garage buildings shall be constructed with masonry veneer and slate roofs; that any windows less than three feet from the lot lines shall be constructed of metal frames, glazed with wire glass and made self-closing; that any portion of the building within 3 feet of the lot line and not of masonry-veneer shall be fire-retarded.

1005-38-A.

APPLICANT—Gross-Morton Jamaice Estates Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—75-76 and 75-82 183d street, northwest corner of Union turnpike and west side of 183d street, 50.92 ft. north of Union turnpike (Block No. 7199, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: George M. Gross.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1005-38-A)

WHEREAS, Gross-Morton Jamaica Estates Corporation, owner, filed November 9, 1938, an appeal from decisions of the borough superintendent of buildings affecting premises: 75-76 and 75-82 183rd street, northwest corner of Union turnpike and west side of 183rd street, 50.92 ft. north of Union turnpike (Block No. 7199, Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the Borough Superintendent on N.B. Applicaton Nos. 7373-38 and 7390-38, dated October 25, 1938, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Building Code."

and

WHEREAS, the premises consist of a plot fronting 100.49 ft. on the north side of Union turnpike, and 100.92 ft. on the west side of 183rd street, which is partly in a business and partly in a residence use, "D" area district, upon which it is proposed to erect two 2-story frame 1 family dwellings, 23 ft. in height, 25 ft. by 32 ft. in area each and two private garages; and

WHEREAS, applicant contends the area is rural in character and no business structure is within considerable distance of the proposed dwellings. The use of the street for business purposes is impracticable, inasmuch as there are sufficient business streets in this neighborhood to serve any residential area. To leave the spot unbuilt, would constitute a detriment and eyesore to the neighborhood for many years to come, for the plot may never have any commercial value.

Resolved, that the decisions of the Borough Superintendent on N.B. Application Nos. 7373-38, and 7390-38, be and they hereby are *modified* and that the appeal be and it hereby is *granted*, to permit the erection of buildings as proposed, *on condition* that each building shall be for residential purposes only, limited in occupancy to one family each and shall comply with the zoning requirements for an "F" area residential district, except that the setback on Union turnpike shall be not less than 7 feet, and except that the buildings may exceed 18 ft. in height up to the

plate line, provided the height up to that point is not in excess of 25 ft. and that the first story of the buildings shall be faced with masonry veneer and the roofs shall be surfaced with natural slate and except that the chimney breasts may extend into the side yard areas for a distance of not over two ft. in depth and except that one side yard need not be more than 5 ft. in width, into which the chimney breasts may project as hereinbefore provided and provided that the distance between buildings shall be not less than 15 ft.; that the interior bearing partitions may be as permitted as required for an area outside the fire limits; that a private garage for not more than two cars may be constructed on each plot, *on condition* that such garage is for the accommodation of not more than two cars and for the sole use of the occupants of the dwelling on the plot; that the garage buildings shall be constructed with masonry veneer and slate roofs; that any windows less than 3 ft. from the lot lines shall be constructed of metal frames, glazed with wire glass and made self-closing; that any portion of the building within 3 ft. of the lot line and not of masonry-veener, shall be fire-retarded.

961-38-A.

APPLICANT—Harry H. Eades, for Reynolds Metals Co., for Tehama Building Corporation, owner.

SUBJECT—Application for consideration—reopening and restoration to calendar, having been previously dismissed for lack of prosecution—re Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—40-62 Tehama street, north side, 375 ft. east of Chester avenue (Block No. 5307, part of Lot No. 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: Harry H. Eades.

ACTION OF BOARD—Appeal reopened, restored to calendar and granted on condition.

THE VOTE—TO REOPEN AND RESTORE TO CALENDAR—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO GRANT ON CONDITION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(961-38-A)

WHEREAS, Reynolds Metals Co., for Tehama Building Corporation, owner, filed November 1, 1938 an appeal from a decision of the acting Borough Superintendent of Buildings, affecting premises 40-62 Tehama street, north side, 375 ft. east of Chester avenue (Block No. 5307, part of Lot No. 27), Borough of Brooklyn; and

WHEREAS, the decision of the Acting Borough Superintendent on Application 15849-38, dated October 26, 1938, reads:

"Proposed use of Ecod Lath to be applied to the entire structure prior to the application of any plastering is contrary to (8.4.10.2) Sec. C26-458.0 of the Administrative Code, and resolution 714-38-SM, Board of Standards and Appeals."

and

WHEREAS, the proposed building is to be 6 stories (62 ft.) in height, 197 ft. 5⅞ in. by 78 ft. 10-3/32 in. in area of non-fireproof construction, located in a residence use, "C" area district, to be occupied throughout as a multiple dwelling; and

WHEREAS, the applicant contends that Ecod Lath has been approved by the Board of Standards and Appeals as meeting the requirements of C-26-630.0 sub. div. C Administrative Code and that in this section Ecod lath is given a one hour fire rating which establishes its use as a fire resisting material and as such should be approved on the same basis as metal lath or gypsum board, which materia can be applied on a six story non-fireproof building, without interruption. The approval for the use of Ecod lath is requested when applied in the same manner that other paper backed laths are being applied; and

WHEREAS, this appeal was dismissed for lack of prosecution at the meeting of November 9, 1938, and applicant requested a reopening of the case; and

WHEREAS, this appeal was reopened by vote of the Board,

Resolved, that the decision of the Acting Borough Superintendent, acting on App. No. 15849-38, be and it hereby is *modified,* and the appeal be and it hereby is *granted* permitting the use of Ecod Lath, *on condition* that such lath shall comply with the requirements of the Approval of the Board of Standards and Appeals under Cal. No. 714-38-SM; and that the installation of the lath in the building shall in all other respects meet the requirements of the Building Code for Metal Lath.

VARIATIONS OF LABOR LAW

995-38-S.

APPLICANT—Belle Culhane, owner.

SUBJECT—Variation of the Labor Law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—40-11 23rd street, east side, 100 ft. 1¼ in. south of 40th avenue (Block No. 408 Lot No. 20), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Martin Scuderi.

For Administration: David Stone, Dept. of Housing and Buildings.

ACTION OF BOARD—Laid over to November 22, 1938 at 2 P.M. for further information from the Building Department.

910-38-S.

APPLICANT—Barmil Construction Co., Inc., owner.

SUBJECT—Variation of the Labor Law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—1443-1451 39th street, north side, 310 ft. east of 14th avenue (Block No. 5347, Lot No. 58), Borough of Brooklyn.

APPEARANCES—

For Applicant: H. A. Miller.

For Administration: Insp. Maher, Fire Dept.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(910-38-S)

WHEREAS, Barmil Construction Co., Inc., owner, filed October 19, 1938, an application for a variation of the Labor Law as cited in an order and decision of the fire commissioner affecting premises 1443-1451 39th street, north side, 310 ft. east of 14th avenue (Block No. 5347, Lot No. 58), Borough of Brooklyn; and

WHEREAS, Order No. 269-LF, issued by the Fire Commissioner May 11, 1938, reads:

"An inspection of premises 1447 39th street, Borough of Brooklyn, shows that the following must be done to comply with Section 272 of the Labor Law:

1. Arrange iron bars on all windows on 1st story so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purpose of egress."

and

WHEREAS, the said order was referred to in a decision of the Fire Commissioner dated September 27, 1938; and

WHEREAS, the building is 2 stories (25 ft) in height, 67 ft. by 91 ft., irregular in area, of fireproof construction, erected in 1925 and equipped with a sprinkler system; there are 2 interior stairs, 4 feet wide, in fireproof enclosures, equipped with fireproof doors, extending direct to street; the building is occupied as follows: 1st floor, manufacture of underwear and silverware, 20 persons; 2nd floor, manufacture of dresses and sound implements; and

WHEREAS, the applicant contends that the physical condition of the building has not changed since 1936; that the bottom of the glass openings in the windows is 5 feet 10 inches above floor level and is over 7½ feet from the pivot of the frame to the floor and can be used as a means of egress; that the bars in question were installed after many burglaries had taken place; that one of the tenants, a manufacturer of silverware, carries many thousands of dollars worth of silverware and bars were erected because of pressure by firms supplying this manufacturer with pure silver. Additional credit was refused unless said tenant would be insured against theft and insurance company refused coverage unless these bars were installed.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in Order No. 269-LF of the Fire Commissioner and that the application be and it hereby is *granted on condition* that the existing exits as indicated on plans filed with this application shall be maintained.

946-38-S.

APPLICANT—John Burke, for Thomas Desimone, owner.
SUBJECT—Variation of the Labor Law as cited in a decision of the borough superintendent of buildings.
PREMISES AFFECTED—331-335 38th street, north side, 360 ft. west of Fourth avenue (Block No. 700, Lot Nos. 53 and 54), Borough of Brooklyn.
APPEARANCES—
For Applicant—John Burke and Thos. Desimone.
ACTION OF BOARD—Application granted on condition.
THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(946-38-S)

WHEREAS, John Burke, for Thomas Desimone, filed October 28, 1938, an application for a variation of the Labor Law as cited in a decision of the acting borough superintendent of buildings affecting premises: 331-335 38th street, north side, 360 ft. west of Fourth avenue (Block No. 700, Lot Nos. 53 and 54), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent of Buildings on application 14427-1938, dated October 18, 1938, reads:

"1. Existing stairs are not acceptable and new stairs complying with Sec. 270 of the Labor Law must be provided, in view of the fact that a new extension is to be erected on the 2nd floor. See decision in matter of Dalmar Inc., of Supreme Court, N. Y. County. New York Law Journal, July 1, 1931."

WHEREAS, the building is 2 stories (26 ft.) in height, 50 by 98 ft. in area on the first floor and 50 ft. by 25 ft area above, erected in 1916 and extended in 1929; equipped with two interior stairs, 3 ft. 8 in. wide, extending from the top story to the roof; Stairs are of iron construction, enclosed with fire retarded partitions, with fireproof self-enclosing doors at openings; Occupied: Cellar, boiler room, no persons; 1st floor, shop, 6 persons, 2d floor, shop 5 persons; and

WHEREAS, the applicant contends that the proposed extension on the second floor will be 25 ft. by 26 ft. and that there will be no increase in the number of employees, other than the certificate of occupancy calls for. That the present exits which consist of two 3 ft. 8 in. stairways direct to a street, enclosed in partitions, fire-retarded on both sides, with fireproof doors and iron stairs. That the premises is in an unrestricted use district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, as cited in a decision of the Borough Superintendent, Dept. of Housing and Buildings, in acting on App. No. 14427-38 and that the application be and it hereby is *granted on condition* that the existing exits shall be maintained and doors shall be maintained from the proposed second story extension, permitting free access to two existing stairways; that the doors opening upon the one-story roof shall be maintained at the rear; that there shall be an iron ladder leading from the roof to grade and thence through gateway in the fence to the adjoining property; that an agreement shall be filed with the Borough Superintendent to the effect that this gate shal be maintained at all times with the consent of the adjoining property owner; that all laws, rules and regulations applying to the building and its occupancy shall be complied with in all other respects.

MATERIAL SUBMITTED FOR APPROVAL

947-38-SM.

APPLICANT—The Logan-Long Company, owner.
SUBJECT—Logan-Long Built-Up Roofings and Asphalt Shingles—approval of.
APPEARANCES—
For Applicant: None
ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.
THE VOTE TO APPROVE—

Affirmative: Chairman Mudock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(947-38-SM)

WHEREAS, the Logan-Long Company, filed October 28, 1938, an application with the Board of Standards and Appeals for approval of the Logan-Long Built-up Roofings and Asphalt Shingles; and

WHEREAS, this material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests was as follows:

REPORT OF COMMITTEE ON TESTS

Cal. No. 947-38-S.M. November 11, 1938

SUBJECT: LOGAN-LONG ROOFING MATERIALS

The Logan-Long Co., Chicago, Illinois filed on October 28, 1938, with the Board of Standards and Appeals, an application for the approval of their Roofing Materials as listed herein, under tests specified in C-26-680-A.C. (10. 12. 11. 1 B.C.) and Group 16, Art. 2 A.C. (10. 1. 16. B.C.)

This roofing material is manufactured at their plants located at Fulton, N. Y., Franklin, Ohio, and Clearing, Illinois.

The following test samples consisted of complete assemblies of roof deck and covering, as is applied in practice, and having an area of 12 sq. ft. upon these roof decks was placed a fully burning brand for the purpose of investigating the possibility of spread of flame, ignition of the wood decking and the depth of charring. Results of these tests and specifications for heavier roof coverings and including greater coverage than the specific specimens tested are described herein. The quantities of waterproofing materials used

between plies are 30# per square and top moppings of any smooth surface specification is 50# per square excepting Long-Life Cap Sheet which was 25# per square. Where slag or gravel was used, the top pouring of asphalt was 50# per square. The asphalt furnished by applicant consisted of Mexican asphalt with a melting point of 170°-180°. The Asphalt Saturated rag felt is made up of approximately 70% roofing rags and 30% stock filler (paper) with weights and area per roll as listed below:

Asphalt Saturated Rag Felt	Area per roll	Approx. wt. per roll	Actual wt. per roll (Ave. 5 spec.)
12 lb.	432 sq. ft.	52	53
14 lb.	432 sq. ft.	60	59.2
15 lb.	432 sq. ft.	65	65.1
30 lb.	216 sq. ft.	65	65.6

Tests were performed on typical roof deckings, representative of each group of roofing material, as follows:

BUILT-UP ROOF AND RE-ROOFING SPECIFICATIONS:

TEST NO. 1. LOGAN-LONG SPECIFICATION NO. 1.

3 Ply asphalt and slag or gravel specifications over ⅞" tongue and grooved sheathing composed of 1-30# Asphalt saturated base sheet and 2-12# asphalt saturated rag felts mopped solid over the base felt and surfaced with a top pouring of asphalt into which is embedded a surfacing of slag on the basis of 300# per square.

The brand was consumed in 29 min. 28 sec. consuming the top ply of 12# felt and with no effect on remaining plies or the combustible deck. (See photo marked Test No. 1.)

Similar roofings of heavier construction are manufactured as follows:

Specification No. 2. Pitch ½ in. to ft. The same specification as No. 1 excepting that 14# asphalt saturated rag felt is used in lieu of the 12# felt as specified therein with moppings and top pouring the same.

Specification No. 3 (Over wood deck). 3 ply asphalt and slag (or gravel) using 1-30# asphalt saturated rag base felt and 2 layers of 14# asphalt saturated rag felt mopped solid and surfaced with slag or gravel, with the alternative that in place of the 30# asphalt felt 2 layers of 15# felt may be used as the base felt. Incline from ¼ in. up to 3 in. per foot.

Specification No. 4. (Over wood deck). 4 ply asphalt and slag (or gravel) using 1-30# asphalt saturated rag felt as base felt with 3-14# felts mopped solid, surfaced with slag or gravel, with the alternative that in place of the 30# asphalt felt 2 layers of 15# felt may be used as the base felt. Incline from ¼ in. up to 3 in. per foot.

Specification No. 5. (Over non-combustible deck, with or without rigid roof insulation). 3 plies of 14# asphalt saturated rag felt all mopped solid and surfaced with slag or gravel. Incline ¼ in. to 3 in. per foot.

Specification No. 6. (Over non-combustible deck, or over rigid roof insulation). 4 plies of 14# asphalt saturated rag felt all mopped solid and surfaced with slag or gravel. Incline ¼ in. up to 3 in. per foot.

TEST No. 2. LOGAN-LONG SPECIFICATION No. 7. 4 PLY ASPHALT SATURATED FELT AND CAP SHEET.

Smooth surface specification with 1-34# Long Life Cap Sheet with 1-30# asphalt saturated rag felt base sheet and 2-14# asphalt saturated rag felt top sheets mopped solid.

The brand was consumed in 26 min. 55 sec. consuming the top 3 plies with no effect on the base sheet or combustible decking (see photo marked Test No. 2). Pitch ½ in. per ft.

A similar roofing consisting of a heavier specificatio is manufactured as follows:

Specification No. 8. (Over non-combustible deck with or without rigid roof insulation).

3 ply 14# asphalt saturated rag felt all moppe solid with 1-34# Logan-Long Long Life Cap Shee cemented in asphalt. Incline ¼ in. up to 3 in. per ft.

TEST NO. 3. LOGAN-LONG SPECIFICATIO NO. 9.

Specification No. 9. Smooth surfaced asphalt speci fication with 34# Logan-Long Long Life Cap Shee surfaced with additional application of a top coatin of asphalt, this specification to consist of 1-30# asphal saturated rag felt base sheet and 2-14# asphalt felt mopped solid and then surfaced with 1-34# Logan-Long Long Life Cap Sheet mopped solid and then ove the Cap Sheet coat the entire surface with Logan-Lon Asphalt, using not less than 25# per 100 sq. ft. Pitc ½ in. to ft.

The brand was consumed in 24 min. 3 sec. consumin the cap sheet and the two top felts and with no effec on the base felt or combustible wood decking (se photo marked Test No. 3).

TEST NO. 4. LOGAN-LONG SPECIFICATIO NO. 10.

Specification No. 10. 17" Selvage Edge Logan-Lon Double Coverage Mineral Surfaced Specification. Ove ⅞" wood sheathing composed of 2 layers of 14# satu rated rag felt laid dry over which 2 plies of 55# Logan-Long Double Coverage Mineral Surfaced Roof ing known as Battledeck is mopped solid to the dr felts and to each other between the 17" selvage lap.

The brand was consumed in 33 min. consuming bot Battledeck Cap Sheets but no effect on the two 14# felts or combustible deck (see photo marked Test No 4). Pitch ¼" per ft.

Similar roofings of heavier construction are manu factured as follows:

Specification No. 11. (Over wood deck). 2 plie 14# asphalt saturated rag felt laid dry and properl nailed and 2 layers of 55# Logan-Long Double Cov erage Mineral Surfaced Roofing known as Battledec mopped solid over the base felts. Incline from ¼" u to 9" per foot.

Specification No. 12. (Over wood deck). 1 ply 14# asphalt saturated rag felt mopped solid and 2 layer of 55# Logan-Long Double Coverage Mineral Sur faced Roofing known as Battledeck. Incline ¼" up t 9" per foot.

Specification No. 13. (Over non-combustible deck with or without rigid roof insulation). 1 ply 14# asphalt saturated rag felt mopped solid to deck an 2 layers of 55# Logan-Long Double Coverage Min eral Surfaced Roofing known as Battledeck moppe solid. Incline ¼" up to 9" per foot.

Specification No. 14. (Over non-combustible dec with or without rigid roof insulation)

2—14# asphalt saturated rag felts mopped solid ove deck and 2 plies of 55# Logan-Long Double Coverag Mineral Surfaced Roofing known as Battledeck moppe solid over the first two layers of felt. Incline ¼" u to 9" per foot.

TEST NO. 5. LOGAN-LONG SPECIFICATIO NO. 15.

Specification No. 15. 1—75# Logan-Long Minera Surfaced Cap Sheet specification over ⅞" wood sheath ing, composed of 1—30# asphalt saturated rag fel laid dry and properly nailed and 1—14# asphalt sat urated rag felt mopped solid and 1—75# Logan-Lon Mineral Surfaced Cap Sheet mopped solid.

The brand was consumed in 29 min. 30 sec. consum ing the Cap Sheet and top felt with no effect on bas felt or combustible decking (see photo marked Tes No. 5). Pitch ¼" to foot.

The same roofing is also applied over a non-com bustible deck, with or without rigid insulation.

TEST NO. 6. LOGAN-LONG SPECIFICATION NO. 16.

Specification No. 16. Smooth surfaced asphalt felt specification over ⅞″ wood sheathing, composed of 1-30# asphalt saturated rag felt laid dry and properly nailed and 2-14# asphalt saturated rag felts mopped solid, surface coated with 50# of asphalt.

The brand was consumed in 33 min. with all plies consumed and charring the combustible deck over an area 4″ x 2″ to a depth of 1/16″ but satisfactorily meeting the test requirements of the code. (See photo marked Test No. 6.)

Similar roofings of heavier construction are manufactured as follows: Pitch ¼″ to foot.

Specification No. 17. (Over non-combustible deck) with or without rigid insulation. 3-14# asphalt saturated rag felts mopped solid over non-combustible deck, surfaced with 25# of asphalt per 100 sq. ft. Incline ¼″ up to 3″ per foot, and if definite nailing can be provided, up to inclines of 6″ per foot.

Specification No. 18. (Over wood deck) with or without rigid insulation. 1-30# asphalt saturated rag felt base sheet and 3-14# asphalt saturated rag felts mopped solid with 25# surface coating of asphalt. Incline ¼″ up to 6″ per foot.

Specification No. 19. (Over non-combustible deck). 4-14# asphalt saturated rag felts, all mopped solid and surface coated with 25# of asphalt. Incline ¼″ up to 3″ per foot and if definite nailing can be provided, up to inclines of 6″ per foot.

Specification No. 20. (Over wood deck). 1-30# asphalt saturated rag felt base sheet and 4-14# asphalt saturated rag felts, all mopped solid, surface coated with 25# of asphalt. Incline ¼ in. up to 6 in. per foot.

Specification No. 21. (Over non-combustible deck). With or without rigid insulation. 5-14# asphalt saturated rag felts all mopped solid over non-combustible deck and surfaced with 25# of asphalt. Incline ¼ in. up to 3″ per foot and if definite nailing can be provided, up to inclines of 6 in. per foot.

REROOFING

The base specimens for all decks tested were taken from an old roof which had been weathered for a period of at least 5 years and used as a base on decks tested as follows:

TEST NO. 7. LOGAN-LONG SPECIFICATION NO. 22.

Specification No. 22. Asphalt and slag reroofing specification over old existing roof over wood sheathing composed of 2-12# asphalt saturated rag felts mopped solid over one layer of old existing roofing felts with asphalt. Top pouring of asphalt into which is embedded slag on the basis of 300# per 100 sq. ft. of roof area. Incline ¼″ up to 3″ per foot.

The brand was consumed in 27 min. 20 sec. and consuming two top sheets and with no effect on old roof or combustible deck (see photo marked Test No. 7).

TEST NO. 8.

Specification No. 23. 34# Logan-Long Long Life Cap Sheet reroofing specification over old existing roofing felts over wood deck. 1-34# Logan-Long Long Life Cap Sheet mopped solid over old roofing felts with asphalt. Incline from ¼″ up to 3″ per foot.

The brand was consumed in 40 min. 20 sec. consuming all plies with no effect on combustible deck. Because of the slow burning brand this test was repeated and the brand was consumed in 24 min. 15 sec. with identical results (see photo marked Test No. 8).

TEST NO. 9. LOGAN-LONG SPECIFICATION NO. 24.

Specification No. 24. 34# Logan-Long Long Life Cap Sheet reroofing specification with asphalt finish. 1-34# Logan-Long Long Life Cap Sheet mopped over old roofing with asphalt and surface coated with Logan-Long asphalt, using not less than 50# per 100 sq. ft. Incline ¼″ up to 3″ per foot.

The brand was consumed in 34 min. 30 sec. with no effect on the plies or combustible deck. A 10% filler consisting of slate flour was used in top pouring (see photo marked Test No. 9).

TEST NO. 10. LOGAN-LONG SPECIFICATION NO. 25.

Specification No. 25. 17″ Logan-Long Double Coverage Mineral Surfaced reroofing specification over old existing roofing over wood deck composed of 2 layers of Logan-Long Double Coverage Mineral Surfaced Roofing known as Battledeck mopped solid over old felts and cemented between laps with asphalt. Incline ¼″ up to 9″ per foot.

The brand was consumed in 31 min. 10 sec., consuming the top cap sheet with no effect on remaining cap sheet, old roofing or combustible deck (see photo marked Test No. 10).

TEST NO. 11. LOGAN-LONG SPECIFICATION NO. 26.

Specification No. 26. 75# Logan-Long Mineral Surfaced reroofing specification over old existing roofing over wood deck, composed of 1-14# asphalt saturated rag felt mopped solid over old base felt and 1-75# Logan-Long Mineral Surfaced roofing. Incline ¼″ up to 3″ per foot.

The brand was consumed in 29 min. 55 sec., consuming the mineral surface and asphalt felt but no effect on old roofing or combustible deck (see photo marked Test No. 11).

MINERAL SURFACED ASPHALT SHINGLES

TEST NO. 12.

Logan-Long 11⅓″ Standard Hexagonal Shingles applied over ⅞″ wood sheathing on an incline of 4″ per foot or more, for new roofing or reroofing of residences.

11⅓″ x 36″ *Hexagonal Strip Shingles*

Provides 2 layer construction over 76% of roof area

Average weight per square........... 167 lbs.
Strips per square 86
Underwriters' Label C.

The brand was consumed in 31 min. 30 sec., consuming all plies and charring the deck over an area of 3½″ x 2½″ to a depth of 3/32″ but meeting the code requirements for the brand test (see photo marked Test No. 12).

Similar Hexagonal Strip Shingles which provide either heavier construction or greater headlap are manufactured as follows:

12⅓″ x 36″ *Standard Hexagonal Strip Shingles*

Provides 2 layer construction over 89% of roof area

Average weight per square........... 186 lbs.
Strips per square 86
Underwriters' Label C.

12⅓″ x 36″ *Giant Hexagonal Strip Shingles*

Provides 2 layer construction over 89% of roof area

Average weight per square........... 235 lbs.
Strips per square 86
Underwriters' Label C.

TEST NO. 13.

Logan-Long 12″ Thick Butt Mineral Surfaced Strip Shingles over ⅞″ wood sheathing. Incline 4″ per foot or more. For use on new roofing or reroofing of residences.

The brand was consumed in 27 min. 18 sec., consuming all plies and charring the deck over an area of 2½″ x 2″ to a depth of 1/16″ but meeting the code requirements for the brand test (see photo marked Test No. 13).

Similar Square Butt Shingles which provide either heavier construction or greater headlap are manufactured as follows:

12″ x 36″ *Logan-Long Thick Butt Strip Shingles*

Provides 2 layer construction over entire roof area, except when cut-out occurs

Average weight per square..... 210 lbs.
Strips per square..... 80
Underwriters' Label C.

15" x 36" *Logan-Long Thick Butt Strip Shingles*
Provides 3 layer construction over entire roof area, except when cut-out occurs
Average weight per square..... 250 lbs.
Strips per square..... 80
Underwriters' Label C.

12" x 36" *Logan-Long Giant Strip Shingles*
Provides 2 layer construction over entire roof area
Average weight per square..... 257 lbs.
Strips per square..... 80
Underwriters' Label C.

10" x 36" *Logan-Long Standard Strip Shingles*
Provides 2 layer construction over entire roof area
Average weight per square..... 210 lbs.
Strips per square..... 100
Underwriters' Label C.

12½" x 36" *Logan-Long Strip Shingles*
Provides 3 layer construction over entire roof area
Average weight per square..... 266 lbs.
Strips per square..... 100
Underwriters' Label C.

12" x 36" *Logan-Long Massive Strip Shingles*
Provides 2 layer construction over entire roof area
Average weight per square..... 230 lbs.
Strips per square..... 80
Underwriters' Label C.

TEST NO. 14. SINGLE COVERAGE SHINGLE.

Logan-Long Standard Arro-Locks 16" x 16" Mineral Surfaced Shingles applied over 7/8" wood sheathing. Incline 4" per foot or more. For use on new roofing or reroofing of residences.

This deck was constructed with a 30# asphalt saturated rag felt over wood sheathing. The shingles were applied over this felt in accordance with the committee's requirements.

The brand was consumed in 25 min. 20 sec., consuming all plies and charring the wood deck over an area of 4" x 3" to a depth of 3/16" but meeting the code requirements for the brand test (see photo marked Test No. 14).

Similar shingles which provide either heavier construction or greater lap are manufactured as follows:

Logan-Long Standard Arro-Locks 16" x 16"
Provides 1 layer construction with 2 layer construction at all laps
Average weight per square..... 138 lbs.
Shingles per square..... 80
Underwriters' Label C.

Logan-Long Special Arro-Locks 16" x 16"
Provides 1 layer construction with 2 layer construction at all laps
Average weight per square..... 150 lbs.
Shingles per square..... 98
Underwriters' Label C.

Logan-Long Heavy Tru-Lok Shingles 12⅞" x 15½"
Provides 1 layer construction with 2 layer construction at all laps
Average weight per square..... 138 lbs.
Shingles per square..... 109
Underwriters' Label C.

Logan-Long Special Tru-Lok Shingles 12⅞" x 15½"
Provides 1 layer construction with 2 layer construction at all laps
Average weight per square..... 165 lbs.
Shingles per square..... 134
Underwriters' Label C.

Logan-Long Giant Tru-Lok Shingles 12⅞" x 15½"
Provides 1 layer construction with 2 layer construction at all laps
Average weight per square..... 200 lbs.
Shingles per square..... 134
Underwriters' Label C.

Logan-Long Supertite Shingles 16" x 21"
Provides complete 2 layer construction
Average weight per square..... 220 lbs.
Shingles per square..... 138
Underwriters' Label C.

Logan-Long Loctfast Shingles 21½" x 16"
Provides 1 layer construction with 2 layer construction at all laps
Average weight per square..... 167 lbs.
Shingles per square..... 96
Underwriters' Label C.

Logan-Long Heavy Stormtite Shingles 12" x 16"
Provides 1 layer construction with 2 layer construction at all laps
Average weight per square..... 138 lbs.
Shingles per square..... 113
Underwriters' Label C.

Logan-Long Giant Stormtite Shingles 12" x 16"
Provides 1 layer construction with 2 layer construction at all laps
Average weight per square..... 165 lbs.
Shingles per square..... 113
Underwriters' Label C.

Logan-Long Mica Stormtite Shingles 12" x 16"
Provides 1 layer construction with 2 layer construction at all laps
Average weight per square..... 180 lbs.
Shingles per square..... 113
Underwriters' Label C.

Logan-Long Standard Majestic or Copperseal Shingles
Provides 1 layer construction with 2 layer construction at all laps
Average weight per square..... 138 lbs.
Shingles per square..... 82
Underwriters' Label C.

Logan-Long Dutch Clipper Shingles 14" x 16"
Provides 1 layer construction with 2 layer construction at all laps
Average weight per square..... 140 lbs.
Shingles per square..... 93
Underwriters' Label C.

TEST NO. 15.

Logan-Long 13½ x 36 Mica Tapered Strip Shingles applied over 7/8" wood sheathing. Incline 4" per foot or more.

The brand was consumed in 23 min. 45 sec. with no effect on the top ply or combustible decking. See photo marked "Test No. 15." The specification of this roof is as follows:

Provides 2 layer construction over entire roof area except at cut outs with 3½" lap
Average weight per square..... 310 lbs.
Strips per square..... 80
Underwriters' Label C.

Other roofs of the same material are as follows:

12" x 36" *Logan-Long Mica Monarch Strip Shingles*
Provides 2 layer construction over entire roof area
Average weight per square..... 260 lbs.
Strips per square..... 80
Underwriters' Label C.

12" x 15" *Logan-Long Mica Monarch Individual Shingles*
5" weather exposure, provides 3 layer construction over entire roof area
Average weight per square..... 325 lbs.
Strips per square..... 226
Underwriters' Label C.

12" x 36" *Logan-Long Giant Mica Monarch Strip Shingles*
Provides 2 layer construction over entire roof area
Average weight per square..... 300 lbs.
Strips per square..... 80
Underwriters' Label C.

TESTS OF ROOF COVERINGS

As a result of these tests the committee recommends approval under C26-680 A.C. (10.12.11.1 BC) and Group 16, Art. 2 A.C. titled "TESTS OF ROOF COVERINGS" (10.1.16 BC) of the Logan-Long roofings

as listed herein under the following conditions:

SLAG OR GRAVEL SURFACED ROOFING: Wherever these roofings are applied they shall be protected with three (3) pounds of slag or four (4) pounds of graded gravel (screened 1/4 to 5/8 per square foot of roofing and imbedded in a pouring of asphalt. Where promenades are provided over these roofings, they shall be protected by either quarried slate or ceramic tile, not less than 6" x 6" x 1/4" firmly imbedded in asphalt or Portland cement mortar, which construction may be used in lieu of slag or gravel surfacing.

SHINGLES

Approval is recommended on all classes of shingles as listed herein except that Single Coverage Shingles as covered by those specified in Test No. 14 may be used on new roofs provided that at least 1 ply of 30# asphalt saturated rag felt is used as a base over wood sheathing. This protection shall not be required when this shingle is used for reroofing when existing roof is not removed. In all cases, however, the use of these shingles as listed in this report is limited to roofing or reroofing of *frame* residential construction.

ROLLS AND ASPHALT

Approval is recommended on Logan-Long Saturated Asphalt Rag Felts in weight of 12 lbs. (the use of this weight material shall be *limited* to slag or gravel roofs approved herein), also 14 lb., 15 lb. and 30 lb. felts when made with asphalt 180°-200° melting points with penetration 23-25 at 77° F. 100 grams for 5 seconds.

GENERAL

Approval of these roofings is recommended on condition that the weight, thickness and plies of material shall not be less for any group than that specified for the specimen tests.

Nothing herein contained shall preclude the use of heavier or additional plies of saturated rag felt, provided that the total weight and number of plies used shall equal or exceed that approved for any specification tested herein. These roofings may be applied to either combustible or non-combustible decks as specifically provided herein.

It is also recommended that this roofing material when used in New York City shall have each package or roll clearly marked or labelled "Approved by the Board of Standards and Appeals for Use in New York City when installed in accordance with these specifications under Cal. No. 947-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the materials known as Logan-Long Built-up Roofing and Asphalt Shingles, as listed in the above report, *on condition* that the materials shall be manufactured, installed and labeled in accordance with this report.

Adjourned, 5:30 P.M. to November 16, 1938 at 10 A.M.
Reconvened November 16, 1938, adjourned November 16, 1938, 11:30 A.M.

EDWARD V. BARTON, *Chief Clerk.*

MINUTES

BOARD OF STANDARDS AND APPEALS

SPECIAL MEETING

FRIDAY MORNING, NOVEMBER 18, 1938

Present: Chairman Murdock, Commissioners Savage nd Blum and Assistant Chief Walsh.

APPEALS FROM ADMINISTRATIVE ORDERS

50-38-A.

PPLICANT—James Haughey, neighboring property owner.

WNER OF PREMISES—Henrietta Coopersmith.

UBJECT—Appeal from a decision of the Borough Superintendent of buildings re-Revocation of Certificate of Occupancy No. 2289-34 for stable for more than five (5) horses. (Riding Academy).

REMISES AFFECTED—North side of Walling street, 100 ft. east of Northern boulevard (southeast corner of Sybilla street and Viola place) (Block No. 3895, rear of Lot No. 1), Forest Hills, Borough of Queens.

.PPEARANCES—

For Applicant: Victor D. Borst, Jr., Mrs. James Haughey, Mrs. Wood, Mrs. E. Lovejoy and Mrs. Bechter.

For Owner: Jacob Beller, Irving Coopersmith and Bertha Coopersmith.

For Administration: Benjamin Saltzman, Dept. of Housing and Buildings and Dr. John Oberwager, Dept. of Health.

CTION OF BOARD—Laid over for further consideration by the Board. No further argument. Applicant and owner to be notified of date set for disposition.

851-38-A.

APPLICANT—James Haughey, neighboring property owner.

OWNER OF PREMISES—Henrietta Coopersmith.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re-Revocation of Certificate of Occupancy No. 2290-34 for stable for more than five (5) horses (Riding Academy).

PREMISES AFFECTED—East side of Northern boulevard, 92 ft. north of Walling street (Block No. 3895, Lot No. 29), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Victor D. Borst, Jr.

For Owner: Jacob Beller and Irving Coopersmith.

For Administration: Benjamin Saltzman, Dept. of Housing and Buildings and Dr. John Oberwager, Dept. of Health.

ACTION OF BOARD—Laid over for further consideration by the Board. No further argument. Applicant and owner to be notified of date set for disposition.

852-38-A.

APPLICANT—James Haughey, neighboring property owner.

OWNER OF PREMISES—Henrietta Coopersmith.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy #2288-34 for stable for more than five (5) horses (Riding Academy).

PREMISES AFFECTED—North side of Walling street, 100 ft. east of Northern boulevard (northwest side of Walling street and Wanda place) (Block No. 3895, front of Lot No. 1), Forest Hills, Borough of Queens.

APPEARANCES—
For Applicant: Victor D. Borst, Jr.
For Owner: Jacob Beller and Irving Coopersmith.
For Administration: Benjamin Saltzman, Department of Housing and Buildings; and Dr. John Oberwager, Department of Health.

ACTION OF BOARD—Laid over for further consideration by the Board. No further argument. Applicant and owner to be notified of date set for disposition.

853-38-A.

APPLICANT—James Haughey, neighboring property owner.

OWNER OF PREMISES—Henrietta Coopersmith.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy #2284-34 for stable for more than five (5) horses (Riding Academy).

PREMISES AFFECTED—Northwest corner of Walnut street and 71st (Continental) avenue (Block No. 2805, Lot No. 1), Forest Hills, Borough of Queens.

APPEARANCES—
For Applicant: Victor D. Borst, Jr., Mrs. E. Lovejoy, Mrs. Rose Bechter and Mrs. Wood.
For Owner: Jacob Beller, Irving Coopersmith and Bertha Coopersmith.
For Administration: Benjamin Saltzman, Department of Housing and Buildings; and Dr. John Oberwager, Department of Health.

ACTION OF BOARD—Laid over for further consideration by the Board. No further argument. Applicant and owner to be notified of date set for disposition.

854-38-A.

APPLICANT—James Haughey, neighboring property owner.

OWNERS OF PREMISES—Luigi Clinco and Amalia Clinco.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy #1215-23 for fur dressing factory.

PREMISES AFFECTED—90-20 70th drive (Wanda place), east side, 353 ft. 5 in. south of Metropolitan avenue (east side of Wanda place, 350 ft. south of Metropolitan avenue); (Block No. 3896, Lot No. 56), Forest Hills, Borough of Queens.

APPEARANCES—
For Applicant: Victor D. Borst, Jr.
For Owner: R. S. Moorhead.
For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Laid over for further consideration by the Board. No further argument. Applicant and owner to be notified of date set for disposition.

855-38-A.

APPLICANT—James Haughey, neighboring property owner.

OWNER OF PREMISES—Henrietta Coopersmith.

SUBJECT—Appeal from a decision of the Borough Superintendent of Buildings—re Revocation of Certificate of Occupancy #2286-34 for stable for more than five (5) horses (Riding Academy).

PREMISES AFFECTED—North side of Walling street, 150 ft. east of Northern boulevard (north side of Walling street, 180 ft. east of westerly lot line); (Block No. 3895, Lot No. 34 and part of Lot No. 35), Forest Hills, Borough of Queens.

APPEARANCES—
For Applicant: Victor D. Borst, Jr.
For Owner: Jacob Beller and Irving Coopersmith.
For Administration: Benjamin Saltzman, Department of Housing and Buildings; and Dr. John Oberwager, Department of Health.

ACTION OF BOARD—Laid over for further consideration by the Board. No further argument. Applicant and owner to be notified of date set for disposition.

856-38-A.

APPPLICANT—James Haughey, neighboring property owner.

OWNER OF PREMISES—Henrietta Coopersmith.

SUBJECT—Appeal from a decision of the borough superintendent of buildings—re Revocation of Certificate of Occupancy No. 2287-34 for stable for more than five (5) horses (Riding Academy).

PREMISES AFFECTED—North side of Walling street, 200 ft. east of Northern boulevard (northwest corner of Walling street and Wanda place); (Block No. 3895, Lot No. 35), Forest Hills, Borough of Queens.

APPEARANCES—
For Applicant: Victor D. Borst, Jr.
For Owner: Jacob Beller and Irving Coopersmith.
For Administration: Benjamin Saltzman, Dept. of Housing and Buildings and Dr. John Oberwager, Dept. of Health.

ACTION OF BOARD.—Laid over for further consideration by the Board. No further argument. Applicant and owner to be notified of date set for disposition.

983-38-A.

APPLICANT—Progressive Electric and Neon Sign Co., for Topics Tavern, Inc., owner.

SUBJECT—Appeal from a decision of the Borough Superintendent of Buildings.

PREMISES AFFECTED—845 Second avenue, west side 25 ft. north of East 45th street (Block No. 1319, Lot No. 23), Borough of Manhattan.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Appeal withdrawn upon written request of applicant.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

Adjourned, 10:30 A.M.

EDWARD V. BARTON, *Chief Clerk.*

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

Fire Drill Rules, Adopted By the Board of Standards and Appeals, October 5, 1923.

(593-23-SR)

DEFINITION OF "FIRE DRILL."

The method and practice of the systematic and orderly vacating of a building by its occupants in case of emergency, panic or fire in the least possible time—by the nearest safe means of exit—and the use of fire appliances which shall be provided for the extinguishing or retarding of fire and the safeguarding of human life.

Rule 1

In all buildings as defined in Article 1, Section 10 of the Labor Law in which fire drills are required pursuant to Section 279 and in any other building in which the Fire Commissioner may be directed pursuant to the power conferred in section 775-B of the Greater New York Charter, it shall be the duty of the owners, lessees or tenants to conduct fire drills monthly and at such other times as the Fire Commissioner may direct.

For the purpose of conducting such fire drills the owner or tenant shall appoint from among their employees such responsible and dependable persons, male or female, who shall efficiently perform the duties of the various positions of the fire drill organization, as specified on the accompanying chart.

It shall be the duty of the owner or tenant to enter in the blank spaces provided for that purpose in said chart the names of persons so selected and post said chart and copies of the rules in a conspicuous place.

FIRE DRILL ORGANIZATION.

Premises .....

Name of concern.....

Building No.....Story.....

FOREMAN OR PERSON IN CHARGE

Regular	Substitute
.....	.....

WATCHMAN

.....	.....
.....	.....

MALE SEARCHER

.....	.....

FEMALE SEARCHER

.....	.....

STREET ALARM BOX RUNNER

.....	.....

FIRE BRIGADE

.....	.....
.....	.....
.....	.....

EXIT GUARDS

.....	Exit.....	.....
.....	"	.....
.....	"	.....
.....	"	.....
.....	"	.....
.....	"	.....

SQUAD MONITORS

.....Squad No.	1	.....
..... " "	2	.....
..... " "	3	.....
..... " "	4	.....
..... " "	5	.....
..... " "	6	.....

Rule 2. Duties of Foreman.

The Foreman or Person in Charge shall direct, enforce and have full charge of the "Fire Drill" in every factory on each floor. Each day before work is begun he shall see that extinguishers, fire hose, fire buckets, etc., are in readiness for use, exit doors are unlocked, aisles are free from obstruction, that stairways, halls, etc., are properly lighted, and shall remedy any dangerous condition found to exist. Immediately after work is commenced he shall check up the Fire Drill Organization list and note if the regularly assigned persons are present; if any are found to be absent, he shall assign other employees (if practicable) to perform their duties.

He shall immediately notify new employees of the existence of the Fire Drill Organization an give them the necessary instructions as to the duties they are to perform, etc.

He shall be familiar with the operation and location of the interior alarm signal box on his floor.

He shall listen for the test signal each morning at the appointed hour and in the event of the test signal not being heard he shall communicate with the superintendent or other person in charge of the building and advise him of the fact. The (Floor Captains) Foreman's orders are final as to the carrying out of the fire drill on his particular floor.

Rule 3. Duties of Watchmen.

The WATCHMEN shall see that all doors and windows are closed so as to prevent the spread of fire. The WATCHMEN shall be the only persons permitted to remain on the floor during the progress of a fire drill and do so at their own risk. For ordinary purposes only one watchman and a substitute shall be designated. In special cases, however, extra watchmen may be assigned by consent in writing from Fire Commissioner.

Rule 4. Duties of Searchers.

The MALE AND FEMALE SEARCHERS shall search all toilets, dressing rooms and emergency rooms used and frequented by their sex and all other portions of the floor and order all persons, except those authorized to remain, to leave the premises. They are to take care of and assist all persons who may faint or be disabled.

SEARCHERS shall leave the floor immediately after the last squad leaves.

Rule 5. Duties of Street Alarm Box Runner.

The STREET ALARM BOX RUNNER shall be familiar with the location of the nearest city fire alarm box and know how it is operated.

In ordinary practice fire drills the STREET-ALARM-BOX-RUNNER shall report to the Foreman for orders, and if his services are not required he shall promptly file out of the premises with the other occupants.

Only when a fire actually occurs on his floor, or when ordered to do so by the Foreman, shall the STREET-ALARM-BOX-RUNNER proceed to the street alarm box and send in the fire alarm.

RULES

Rule 6. Duties of Fire Brigade.

The fire brigade shall have full charge of the operation of all auxiliary fire fighting apparatus and shall endeavor to extinguish, or at least hold in check until the arrival of the fire department, any fire that may occur. When it is necessary for the fire brigate to respond to different floors in the building they shall not use the stairways or fire escapes while the occupants are escaping from the premises.

Rule 7. Duties of Exit Guards.

The EXIT GUARDS shall station themselves at all exit doors leading to fire escapes, stairways and other means of escape immediately upon the sounding of the alarm. There shall be two guards for each exit, if practicable; one to stand in the hallway holding back the door and the other directly inside on the floor. They are to keep the exit doors open and direct the movements of the persons using these exits and prevent congestion.

EXIT GUARDS shall remain at their stations until all of the occupants of the building have passed their station. Then close their doors and pass out of the building. Upon signal for the occupants to return, EXIT GUARDS shall take their designated stations and remain there until all persons have returned to their respective floors.

Rule 8. Duties of Squad Monitors.

The SQUAD MONITORS, as soon as the alarm is sounded, shall see that the employees under their charge quickly form into line, two abreast, and numbering not more than thirty to each squad. They shall see that all aisles and passageways are cleared of obstructions.

Note: Chairs, stools, baskets, etc., should be pushed under or placed on top of work benches.

MONITORS shall proceed at the head of their respective squads to the exit assigned, and then march up or down the stairs or to other exits as directed by the EXIT GUARDS.

On reaching the sidewalk MONITORS shall keep their squads in order and lead them a reasonable distance from the building, so as not to cause congestion and interference with fire apparatus. When the proper signal is given they shall return to their respective floors at head of their squads.

MONITORS will at all times see that those under their charge conduct themselves in a respectable and orderly manner.

Rule 9. Holding of Drills.

FIRE DRILLS shall be held at least once each month at varied hours of the day, and all of the occupants shall participate therein simultaneously. Such drills shall conduct all occupants to a place of safety.

Where dual operation interior fire alarm systems are installed as permitted under Rule 11 of the interior fire alarm rules of the Board of Standards and Appeals, the fire drill conducted each month shall include all of the persons on the premises engaged at work for a factory, and drills shall be conducted at least twice each year in which all of the persons on the premises shall participate simultaneously.

Rule 10. Duties of Owner.

It shall be the duty of the OWNER, LESSEE OR TENANT OF THE BUILDING or his authorized agent or their representatives to personally observe that the "Fire Drill" is held simultaneously on every floor of the building and the participation therein of every occupant of such building. Any FIRE DRILL in which all of the occupants do not particpate shall not be considered as complying with the LAW, except as otherwise provided in these rules.

The person or persons representing the OWNER, LESSEE OR TENANT who supervises the FIRE DRILL at the building shall submit to an examination by the Bureau of Fire Prevention as to their experience and general fitness for such duties, and shall be so certified in writing by the FIRE COMMISSIONER.

Rule 11. Duties of Engineer.

It shall be the duty of the ENGINEER, SUPERINTENDENT or other PERSON IN CHARGE of a building having an interior fire alarm system to test such system daily immediately after the beginning of business, and to see that all apparatus operated by springs requiring winding are rewound after each alarm and kept in normal condition for operation.

Whenever it is necessary to test the fire alarm system at any other time of the day, owing to repairs, etc., being made, the PERSON IN CHARGE OF BUILDING will first notify all Foremen of the several floors of the intended test and likewise notify them when the repairs etc., are completed. This precaution is taken to prevent confusion and excitement, also misunderstanding of the alarm signals.

It shall also be the duty of the PERSON IN CHARGE OF BUILDING to sound the interior alarm system at irregular intervals, but not less than once each calendar month, for the purpose of holding practice fire drills. He shall keep on the premises a record of such drills showing the date when held and the required time for all occupants to reach the street or a point of safety outside the building.

The PERSON IN CHARGE OF BUILDING must immediately acquaint new tenants of the existence of the "Fire Drill" Organization and its purport.

Rule 12. Registration.

The name and address of every person, corporation or co-partnership, that will, under professional service, carry on the trade, business or calling of establishing, maintaining or supervising the "Fire Drill" shall be registered in the Fire Department, which Department shall, upon evidence of fitness, grant a certificate to that effect.

NOTICE

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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CHIEF JOHN J. MCELLIGOTT

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TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK. *Chairman.*

CONTENTS

his issue of the Bulletin contains, in the order given—

ocket.

ourt Decisions.

ules Directory.

he Hearing Calendar.

linutes of Regular Meeting, November 22, 1938, at 10 A. M., Affecting Calendar Numbers 177-27-BZ, 391-37-BZ, 274-38-BZ, 275-38-BZ, 362-38-BZ, 436-38-BZ, 458-38-BZ, 313-22-BZ, 428-37-BZ, 652-38-BZ and 701-38-BZ.

inutes of Regular Meeting, November 22, 1938, at 2 P. M., Affecting Calendar Numbers 538-37-BZ, 676-38-BZ, 235-31-BZ, 148-36-BZ, 542-38-BZ, 807-28-BZ, 692-38-BZ, 748-38-A, 981-38-A, 1009-38-A, 1025-38-A, 491-38-A, 807-38-A, 832-38-A, 909-38-A, 937-38-A, 938-38-A, 939-38-A, 956-38-A, 985-38-A, 1000-38-A, 1014-38-A, 1026-38-A, 1030-38-A, 583-22-A, 149-38-A, 867-38-S, 995-38-S, 918-22-SA, 572-38-SA, 683-38-SA, 884-38-SA, 486-38-SM, 733-38-SM and 820-38-SM.

rrections Affecting Calendar Numbers 167-38-SA, 174-8-SA, 438-38-SA and 786-38-A.

CALENDAR

DOCKET

New Cases Filed up to November 22, 1938

Cal. No. *Department* *Premises Affected*

1030-38-A.....F.D.....133 Reade street, south side, 48 ft. west of Hudson street (Block 140, Lot 30), Borough of Manhattan, 2116-L.F. and Decision.

1031-38-A.....H.B.B.....1-13 South Eleventh street, northwest corner of Kent avenue (Block 2154, Lot 1), Borough of Brooklyn, Alt. 17078-38.

1032-38-SM.....Ruberoid Eternit Corrugated Asbestos, manufactured by The Ruberoid Company, Material.

1033-38-SA.....Econo-Vent Liquid Seal Tank Vent, Model No. 20, Appliance.

1034-38-SA.....Econo-Vent Liquid Seal Tank Vent, Model No. 12, Appliance.

1035-38-A.....H.B.M.....42-44 East 58th street, south side, 100 ft. east of Madison avenue (Block 1293, Lot 47), Borough of Manhattan, Decision.

1036-38-A.....H.B.M.....110-112 Trinity place and 106 Liberty street, southwest corner (Block 52, Lot 30), Borough of Manhattan, Alt. 3188-38.

1037-38-A.....H.B.M.....40 Wall street, north side, 177 ft. east of Nassau street and 25-39 Pine street (Block 43, Lot 2), Borough of Manhattan, Alt. 3186-38.

1038-38-SA.....Noverflo Toilet Combination, Appliance.

1039-38-A.....F.D.....215 Butler street, north side, 221 ft. east of Bond street (Block 405, Lot 57), Borough of Brooklyn, 76649-L.C. and Decision.

1040-38-A.....H.B.B.....922-946 Georgia avenue, west side, 50 ft. south of Wortman avenue and 911-935 Alabama avenue (Block 4388, part of Lot 15), Borough of Brooklyn, Applic. 12514-38.

1041-38-BZ....H.B.B.....335-365 Schermerhorn street and 2-18 Third avenue, northwest corner (Block 167, Lot 3 and part of Lot 28), Borough of Brooklyn, Applic. 15734-38.

1042-38-A.....H.B.B.....389 Snediker avenue and 515-525 Dumont avenue, northeast corner (Block 3783, part of Lot 1), Borough of Brooklyn, Alt. 15285-38.

1043-38-A.....F.D.....859 Westchester avenue, north side, 242 ft. east of Prospect avenue (Block 2690, Lot 10), Borough of The Bronx, 14632-C.

1044-38-BZ....H.B.B.....252-304 Schermerhorn street and 51-59 Bond street, southeast corner (Block 172, Lots 7, 10, 13 and 18), Borough of Brooklyn, Applic. 15735-38.

1045-38-SM.....Dresser No-Thread Fittings, Style 65, manufactured by S. R. Dresser Manufacturing Company, Material.

1046-38-SA.....Penn Overload Switch, Type LC, Appliance.

1047-38-BZ....H.B.M.....750-756 St. Nicholas avenue, east side, 490 ft. south of West 150th street (Block 2053, Lot 44), Borough of Manhattan, Decision.

1048-38-A.....H.B.Q.....544 Beach 68th street, east side, 400 ft. north of Thursby avenue (Block 445, Lot 21), Arverne, Borough of Queens, Alt. 7939-38.

1049-38-A.....F.D.....591 Washington street, east side, 75 ft. north of Clarkson street and 610 Greenwich street (Block 601, Lot 29), Borough of Manhattan, 1785-L.F. and Decisions.

1050-38-BZ....H.B.B.....6411-6423 13th avenue and 1301-1305 65th street, northeast corner (Block 5747, Lots 1 and 5), Borough of Brooklyn, Applic. 16102-38.

1051-38-BZ....H.B.Bx.....2175 Ryer avenue, west side, 102 ft. 5-5/16 in. north of East 181st street (Block 3157, Lot 59), Borough of The Bronx, N.B. 671-38.

1052-38-BZ....H.B.M.....1671-1677 Third avenue and 200 East 94th street, southeast corner (Block 1539, Lots 49-52), Borough of Manhattan, N.B. 177-38.

1053-38-BZ....H.B.B.....2503-2537 Fifth street, northwest corner of McDonald avenue (Block 6607, Lots 34 and 42), Borough of Brooklyn, Applic. 17405-38.

Restored to Calendar.

807-28-BZ.....H.B.Q.....80-84 Madison avenue, northeast corner of Union street (Block 848, Lot 1), Flushing, Borough of Queens, N.B. 8682-28.

235-31-BZ.....H.B.B.....701-705 Utica avenue, east side, 100 ft. south of Clarkson avenue (Block 4637, Lot 41), Borough of Brooklyn, Applic. 18783-37.

CALENDAR

148-36-BZ.....H.B.Bx.....1083-1087 Hall place and 856-864 East 167th street, southwest corner (Block 2691, Lot 86), Borough of The Bronx, Decision re: Viol. 136-35.

542-38-BZ.....H.B.Q.....Southwest corner of Fresh Meadow road and Underhill avenue (Block 5580, Lot 140), Flushing, Borough of Queens, Applic. 1130-38.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.**—Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department and **F.D.**—Fire Department.

COURT DECISIONS

Fortuna v. Murdock—On April 5, 1938, board granted gasoline station, partly in business and partly in residence district, under section 21, Cal. No. 429-37-BZ, at premises 47-11 108th street, northeast corner of 48th avenue, Corona, Borough of Queens. Mr. Justice Furman sustained board and stated that "application (for certiorari) has no merit whatever." (N.Y.L.J. Nov. 23, 1938.)

* * *

Chesebrough v. Murdock—On July 19, 1938, board dismissed appeal as improperly before the board in that a zoning variance was sought by way of a reversal of the Borough Superintendent of Buildings under an "A" case, whereas a "BZ" or zoning appeal was the correct procedure, Cal. No. 571-38-A, premises 132-138 Fourth avenue, southwest corner of East 13th street, Borough of Manhattan. This premises was changed from unrestricted to business use by reason of an amendment to the Use District Map, section 12, by the City Planning Commission on March 16, 1938. Mr. Justice Wasservogel sustained board (N.Y.L.J. Nov. 25, 1938) and stated: The resolution of the City Planning Commission "was filed in the office of the Secretary of the Board of Estimate on March 17, 1938. Section 200 of the New York City Charter provides that 'Unless the Board of Estimate shall notify or disapprove such resolution by a three-fourths vote within thirty days from the date of filing, it shall thereupon take effect.' The resolution above referred to (of the City Planning Commission) was neither disapproved nor modified. The zoning change therefore became effective and petitioners' premises became subject to the limitations set forth in section 4 of the Building Zone Resolution. It is conceded that plans for the proposed gasoline service station were filed on March 30, 1938, and that the drop-curb application was filed on March 31, 1938. Both filings took place subsequent to the resolution changing the zone by the City Planning Commission. * * * The determination of the board is justified because the premises * * * were located in a business use district."

RULES

	Last Publication in Bulletin
bon Dioxide Liquefier Rules....Nov.	15, 1938—Vol. 23, No. 46
tificate of Occupancy, approved form .....Aug.	23, 1938—Vol. 23, No. 34
ncrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
crete Rules (Hydrated Lime)...Aug.	3, 1937—Vol. 22, No. 31
vator Rules .....Mar.	3, 1936—Vol. 21, No. 9
t Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
tory Exit Rules.....Sept.	13, 1938—Vol. 23, No. 37
: Alarm Rules (Interior).....Oct.	4, 1938—Vol. 23, No. 40
: Drill Rules.....Nov.	22, 1938—Vol. 23, No. 47
: Retarding Rules for Garages, etc. .....Nov.	8, 1938—Vol. 23, No. 45
proof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No. 15
ne Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No. 3
on Welding and Gas Cutting Rules .....Nov.	1, 1938—Vol. 23, No. 44
Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No. 14
hway Protection .....June	5, 1928—Vol. 13, No. 23
Burner Rules.....Nov.	8, 1938—Vol. 23, No. 45
t, Varnish and Lacquer Spraying Rules .....Sept.	13, 1938—Vol. 23, No. 37
form Trucks, Specifications for.Nov.	24, 1936—Vol. 21, No. 47
bing Rules .....Aug.	3, 1937—Vol. 22, No. 31
edure, Rules of.....Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract C.O.Nov.	15, 1938—Vol. 23, No. 46
Smoking in Factories, Rules for....Nov.	1, 1938—Vol. 23, No. 44
Sprinkler Rules .....June	29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules.....June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting...June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..Apr.	10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Sipbon Valves .....Mar.	5, 1935—Vol. 20, No. 10
Fireline Hose Valves.....Nov.	8, 1938—Vol. 23, No. 45
Fuel Oil Burners for Domestic and Commercial Use .....Aug.	30, 1938—Vol. 23, No. 35
Fuel Oil Fill Pipe Terminals.....Nov.	1, 1938—Vol. 23, No. 44
Fuel Oil Burners for Industrial Use.Aug.	30, 1938—Vol. 23, No. 35
Fuel Oil Pumps.....Nov.	8, 1938—Vol. 23, No. 45
Paint, Varnish and Lacquer Spraying Equipment .....Sept.	13, 1938—Vol. 23, No. 37
Range Oil Burners and Space Heaters .....Aug.	9, 1938—Vol. 23, No. 32

NOVEMBER 29, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, November 29*, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 345-36-BZ—Application of Hahn and Coller, applicants, on behalf of John Seinfeld, owner, reopened November 1, 1938, for rehearing on new facts (previously denied by board)—Court having referred matter back to board for rehearing and reconsideration—re Application, under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use (stores); premises 2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block No. 3161, Lot No. 26), Borough of The Bronx.

CAL. NO. 245-37-BZ—Application of Nathan Mandel, applicant, on behalf of St. Cloud Construction Corporation, owner, reopened November 1, 1938 for rehearing on new facts (previously denied by board)—Court having referred matter back to board for rehearing and reconsideration—re Application, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (store); premises 2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx.

CAL. NO. 764-38-BZ—Application, September 1, 1938, under sections 7c and 21 of the building zone resolution, of L. M. Rothman, applicant, on behalf of Bonay Holding Co., Inc., owner, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a motion picture theatre; premises 787-795 Lydig avenue, northwest corner of Barnes avenue (Block No. 4321, Lot No. 1), Borough of The Bronx.

CALENDAR

CAL. NO. 61-38-BZ—Application, February 2, 1938, under section 21 of the building zone resolution, of Herman Kron, applicant, on behalf of A. May Condit, owner, to permit in a business use district the extension of a gasoline service station; premises 5232-5248 Broadway, northeast corner of West 226th street (Block No. 2215, part of Lot No. 130), Borough of Manhattan.

CAL. NO. 285-38-BZ—Application, April 19, 1938, under section 21 of the building zone resolution, of L. E. Driver, applicant and chief engineer, on behalf of New York Dock Company, owner, to permit partly in a business use district and partly in an unrestricted use district the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 210-218 Furman street, west side, 449 ft. 2 in. north of Montague street (Bldg. No. 46); (Block No. 199, part of Lot No. 3), Borough of Brooklyn.

CAL. NO. 573-37-BZ—Application, December 3, 1937, under sections 7h and 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Mutual Life Insurance Co. of New York, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of not more than five (5) motor vehicles; premises 158-176 Columbus avenue, 101 West 67th street, 100 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Borough of Manhattan.

CAL. NO. 737-38-BZ—Application, August 19, 1938, under section 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Mary L. Walker, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1183 River avenue, west side, 100 ft. south of East 167th street (Block No. 2496, Lot No. 64), Borough of The Bronx.

CAL. NO. 834-38-BZ—Application, September 30, 1938, under sections 7h and 21 of the building zone resolution, of Julius Eckmann, applicant, on behalf of Charles T. Wills, Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises is located on same street, between two (2) intersecting streets, in which portion there exists an exit from and an entrance to a public school; premises 240-246 West 68th street, south side, 470 ft. west of Amsterdam avenue (Block No. 1159, Lot Nos. 52 to 55, inclusive), Borough of Manhattan.

CAL. NO. 784-38-BZ—Application, September 12, 1938, under section 21 of the building zone resolution, of William V. McDevit, applicant, on behalf of J. Clarence Davies, Inc owner (Socony-Vacuum Oil Company Inc., lessee), to permit in a busines use district the erection and mainte nance of an additional accessory build ing on an existing gasoline servic station; premises 3273-3275 West chester avenue and 2000-2006 Colonia avenue, northeast corner (Block No 4249, Lot No. 1), Borough of Th Bronx.

CAL. NO. 40-19-BZ—Application of William M. Farrar, ap plicant, on behalf of The Greenwic Savings Bank, owner, reopened Nov ember 9, 1938, under section 21 of th building zone resolution, to permit i a business use district the alteratio and conversion of occupancy of garage for more than five (5) moto vehicles (previously granted by th Board) to a factory building; pren ises 227-243 West 61st street, nort side, 175 ft. east of West End avenu (Block No. 1153, Lot No. 8), Boroug of Manhattan.

HARRIS H. MURDOCK, *Chairma*

NOVEMBER 29, 1938, 2 P. M.

Appeals from Administrative Orders

306-38-A—1602 Avenue J, southeast corner of East 16 street (Block No. 6718, Lot No. 1), Bo ough of Brooklyn.

917-38-A—163-34 to 163-40 Jamaica avenue, south sid 307.30 ft. east of New York bouleva (Block No. 1167, Lot No. 16), Jamaic Borough of Queens.

950-38-A—75 Washington place, north side, 176 ft. east Sixth avenue (Block No. 552, Lot No. 66 Borough of Manhattan.

960-38-A—72-76 Grand avenue, west side, 120 ft. nor of Park avenue (Block No. 892, Lot N 48), Borough of Brooklyn.

962-38-A—133 East 47th street, north side, 145 ft. east Lexington avenue (Block No. 1302, L No. 25½), Borough of Manhattan.

968-38-A—204 Columbia Heights, west side, 188 ft. 1 north of Pierrepont street (Block No. 2 Lot No. 10), Borough of Brooklyn.

1021-38-A—1036 Summit avenue, east side, 175 ft. south 165th (formerly Devoe) street (Block N 2525, Lot No. 16), Borough of The Bron

1031-38-A—1-13 South 11th street, northwest corner Kent avenue (Block No. 2154, Lot No. Borough of Brooklyn.

1039-38-A—215 Butler street, north side, 221 ft. east Bond street (Block No. 405, Lot No. 5 Borough of Brooklyn.

1012-38-A—1602 Pitkin avenue, south side, 40 ft. east Amboy street (Block No. 3518, Lot N 35), Borough of Brooklyn.

1019-38-A—289 Utica avenue and 1767 Union street, nor side, 80 ft. east of Utica avenue (Blo No. 1397, Lot Nos. 1 and 80), Borough Brooklyn.

1035-38-A—42-44 East 58th street, south side, 100 ft. e of Madison avenue (Block No. 1293, I No. 47), Borough of Manhattan.

CALENDAR

1037-38-A—40 Wall street, north side, 177 ft. east of Nassau street and 25-39 Pine street (Block No. 43, Lot No. 2), Borough of Manhattan.

1040-38-A—922-946 Georgia avenue, west side, 50 ft. south of Wortman avenue and 911-935 Alabama avenue (Block No. 4388, part of Lot No. 15), Borough of Brooklyn.

1048-38-A—544 Beach 68th street, east side, 400 ft. north of Thursby avenue (Block No. 445, Lot No. 21), Arverne, Borough of Queens.

1007-38-A—148-02 to 148-18 147th avenue, southwest corner of 149th street (Block No. 4233, part of Lot No. 1), South Jamaica, Borough of Queens.

1061-38-A—478 Seventh avenue, west side, 19.1 ft. south of West 36th street (Block No. 785, Lot No. 45), Borough of Manhattan.

1070-38-A—2016-2020 Glenwood road, south side, 50 ft. west of East 21st street (Block No. 7548, Lot No. 46), Borough of Brooklyn.

1036-38-A—110-112 Trinity place and 106 Liberty street, southwest corner and 105 Cedar street (Block No. 52, Lot No. 30), Borough of Manhattan.

1058-38-A—2-4 Sand street, north side, 241.17 ft. east of Bay street and 24 Wave street (Block No. 489, Lot No. 19), Stapleton, Borough of Richmond.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standrds and Appeals of a public hearing under the provisions f the building zone resolution, *Tuesday afternoon, Noember* 29, 1938, at 2 o'clock, in Room 1013, Municipal Building on the following matter:

AL. NO. 772-28-BZ—Application of Louis E. Ordwein, applicant, on behalf of The Bank for Savings in City of New York, owner, reopened November 9, 1938 on new proposal, under section 7e of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously granted by the board for a garage for more than five (5) motor vehicles); premises 136-138 East 41st street, south side, 148 ft. 3 in. east of Lexington avenue (Block No. 1295, Lot No. 46), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 6, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standls and Appeals of a public hearing under the provisions the building zone resolution, *Tuesday morning, Decem-* 6, 1938, at 10 o'clock, in Room 1013 Municipal Building the following matters:

.. NO. 728-38-BZ—Application, August 17, 1938, under section 21 of the building zone resolution of Nathan Cooper, applicant, on behalf of Max Davidson, owner, to permit in a business use district the conversion of part of an existing building to a junk shop; premises 2401 Poplar street, northeast corner of Bronxdale avenue (Block No. 4062, Lot No. 27), Borough of The Bronx.

CAL. NO. 957-38-BZ—Application, September 29, 1938, under section 21 of the building zone resolution, of Stephen L. Heidrich, applicant, on behalf of Estate of Frederick D. Fricke, owner (Earle Hotel Corp., lessee), to permit in a residence use district, the conversion of occupancy of part of an existing building to a business use (restaurant); premises 103-105 Waverly place, north side, 35 ft. 3 in. west of MacDougal street (Block No. 553, Lot No. 31), Borough of Manhattan.

CAL. NO. 848-38-BZ—Application, October 5, 1938, under section 21 of the building zone resolution, of Abram Shlefstein, applicant, on behalf of Craufombe Estates, Inc., owner, (Shell Union Oil Corp., lessee), to permit in a business use district, the erection and maintenance of an accessory building to an existing gasoline service station; premises 2942-2948 Avenue U and 2102-2112 Haring street, southwest corner (Block No. 7363, Lot No. 5), Borough of Brooklyn.

CAL. NO. 589-38-BZ—Application, July 8, 1938, under sections 7h and 21 of the building zone resolution, of Jay Emanuel, applicant, on behalf of Franklin Savings Bank, in the City of New York, owner, (Jacob A. Goldstein and May Harris, lessees), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 303 West 51st street, north side, 58 ft. 10½ in. west of Eighth avenue (Block No. 1042, Lot No. 28½ and part of Lot Nos. 29, 30, 30½, 31, 32, 33, 33½ and 34), Borough of Manhattan.

CAL. NO. 771-38-BZ—Application, September 6, 1938, under section 21 of the building zone resolution, of William F. Wund and Allen Moss, applicants, on behalf of Wonten Realty Corporation, owner, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 204 West 65th street, south side, 50 ft. west of Amsterdam avenue (Block No. 1156, Lot No. 36), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 6, 1938, 2 P. M.

Appeals from Administrative Orders

748-38-A—506-516 Wortman avenue and 953 Essex street, southeast corner (Block No. 4407, Lot No. 1), Borough of Brooklyn.

1009-38-A—57-16 Granger street, south side, 136 ft. east of Martense avenue (Block No. 1950, Lot No. 46), Corona, Borough of Queens.

CALENDAR

1025-38-A—180 South Oxford street, west side, 371 ft. 8 in. north of Atlantic avenue (Block No. 2004, Lot No. 66), Borough of Brooklyn.

284-37-A—484-496 Fulton street and 2-30 Bond street, southeast corner (Block No. 159, Lot No. 1), Borough of Brooklyn.

288-37-A—422-438 Fulton street, 14-30 Hoyt street, 171-201 Livingston street and 15-19 Gallatin place (Block No. 156, Lot No. 1), Borough of Brooklyn.

331-37-A—450-458 Fulton street, south side, block bounded by Livingston street, Hoyt street and Elm place (Block No. 157, Lot No. 1), Borough of Brooklyn.

351-37-A—2307 Beverly road and 2410 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.

280-38-A—162-10 Jamaica avenue, south side, 70 ft. east of 162nd street, 92-15 Union Hall street and 92-14 New York boulevard (Block No. 1052, Lot Nos. 4, 6, 13, 79), Jamaica, Borough of Queens.

650-38-A—37-02 to 37-08 Main street, southwest corner of 37th avenue (Block No. 4971, Lot No. 27), Flushing, Borough of Queens.

1043-38-A—859 Westchester avenue, north side, 242 ft. east of Prospect avenue (Block No. 2690, Lot No. 10), Borough of The Bronx.

1063-38-A—161 East 70th street, north side, 150 ft. east of Lexington avenue (Block No. 1405, Lot No. 26), Borough of Manhattan.

1064-38-A—61-63 Eighth avenue and 300 West 13th street, southwest corner (Block No. 616, Lot No. 47), Borough of Manhattan.

1065-38-A—39 Union Square West, west side, 31 ft. 6 in. south of East 17th street (Block No. 844, Lot No. 25), Borough of Manhattan.

1071-38-A—Bush Building No. 51, between 47th street and 48th street (Block No. 725, Lot No. 1); (River front), Borough of Brooklyn.

1072-38-A—Bush Building No. 52, between 47th street and 48th street (Block No. 725, Lot No. 1); (River front), Borough of Brooklyn.

1073-38-A—Bush Building No. 53, between 47th street and 48th street (Block No. 725, Lot No. 1); (River front), Borough of Brooklyn.

1074-38-A—Bush Building No. 54, between 47th street and 48th street (Block No. 725, Lot No. 1); (River front), Borough of Brooklyn.

1075-38-A—Bush Building No. 55, foot of 49th street (Block No. 725, Lot No. 1); (River front), Borough of Brooklyn.

1090-38-A—1423 Hollywood avenue, west side, 128.42 ft. north of Coddington avenue (Block No. 5402, Lot No. 32), Borough of The Bronx.

1091-38-A—657-699 Park avenue, 924-942 Lexington avenue, 57 East 68th street and 54 East 69th street (Block No. 1403, Lot No. 1), Borough of Manhattan.

DECEMBER 13, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December* 13, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 94-38-BZ—Application, February 16, 1938, unde section 7h of the building zone resolu tion, of Arthur W. Renander, appli cant, on behalf of Jeho Co., Inc., owne (Jamaica Parking Co., Inc., lessee), t permit in a business use district, for temporary period of not more than tw (2) years, the parking and storage o more than five (5) motor vehicles premises 89-02 to 89-12 166th stree southwest corner of 89th avenu (Block No. 866, Lot No. 72), Jamaic Borough of Queens.

CAL. NO. 478-38-BZ—Application, June 10, 1938, under sec tion 7h of the building zone resolutio of James Ellswick, applicant and les see, on behalf of Estate of Emily H Goodwin, owner, to permit in a bus ness use district, for a temporar period of not more than two (2) year the parking and storage of more tha five (5) motor vehicles; premises 25 256 Dyckman street, southeast corne of Payson avenue (Block No. 2246, L No. 55), Borough of Manhattan.

CAL. NO. 772-38-BZ—Application, August 26, 1938, und sections 7a, 7c and 21 of the buildin zone resolution, of Morton E. Bleic applicant, on behalf of Henry Phipp Estates, owner (Ross-Frankel, Inc lessee), to permit in a residence us district the erection and maintenanc of a business and factory building premises 281-289 Ninth avenue an 402-414 West 27th street, southwe corner (Block No. 724, Lot No. 36 Borough of Manhattan.

CAL. NO. 774-38-BZ—Application, September 7, 1938, und section 21 of the building zone resolu tion, of Giaccone and Richards, appl cants, on behalf of Hungarian Socie of New York, owner, to permit in residence use district the erection ar maintenance of a business buildin premises west side of Cypress Hil street, 150 ft. inside of premises ar 500 ft. north of Interboro parkwa (Block No. 3750, Lot Nos. 280 ar 290), Glendale, Borough of Queens.

CAL. NO. 803-38-BZ—Application, September 20, 1938, und section 7h of the building zone resol tion, of W. H. and J. F. Dusenbur applicants, on behalf of Estate of Le pold Rossbach, owner (Laurence Rossbach, trustee), to permit in a bus ness use district, for a tempora period of not more than two (2) yea the parking and storage of more th five (5) motor vehicles; premises 390 3911 White Plains avenue, northwe corner of East 222nd street (Block N 4824, Lot Nos. 4 and 7), Borough The Bronx.

CAL. NO. 830-38-BZ—Application, September 29, 1938, und sections 7a and 21 of the building zo resolution, of Koch and Wagner, app cants, on behalf of Louis Lachte owner (H. C. Bohack Co., Inc., lessee to permit partly in a business use di trict and partly in a residence use di

trict, the erection and maintenance of an auto laundry on an existing gasoline service station; premises 61-52 to 61-64 Woodhaven boulevard and 61-09 to 61-21 Dry Harbor road, southwest corner (Block No. 2950, part of Lot No. 1), Elmhurst, Borough of Queens.

CAL. NO. 873-38-BZ—Application, October 11, 1938, under section 21 of the building zone resolution, of Edward Necarsulmer, applicant, on behalf of Congregation Emanu-El (Salem Fields Cemetery), owner, to permit in a residence use district the erection and maintenance of two (2) business buildings; premises 67-18 Interborough parkway, south side, 83.70 ft. west of Cypress Hills street (Block No. 3740, Lot No. 250), Glendale, Borough of Queens.

CAL. NO. 869-38-BZ—Application, October 7, 1938, under section 7b of the building zone resolution, of Alexander A. Forman, 3rd, applicant, on behalf of Higbie Springfield Corporation, owner, to permit in a residence use district, extending from a business use district, the exit from a place of public assembly (bowling alleys); premises 116-51 219th street and 219-01 Linden boulevard, northeast corner (Block No. 2153, Lot Nos. 6 to 10, inclusive), St. Albans, Borough of Queens.

CAL. NO. 148-36-BZ—Application of Arthur Epstein, lessee (Bowery Savings Bank, owner), reopened November 22, 1938 for consideration as to extension of permit—re application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the maintenance of a parking lot for the storage of more than five (5) motor vehicles; premises 1083-1087 Hall place and 856-864 East 167th street, southwest corner (Block No. 2691, Lot No. 86), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 13, 1938, 2 P. M.

Appeal from Administrative Order

981-38-A—2130-2140 Rockaway parkway, southeast corner of Schenck avenue (Block No. 8331, Lot No. 1), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standrds and Appeals of a public hearing under the provisions f the building zone resolution, *Tuesday afternoon, Deember* 13, 1938, at 2 o'clock, in Room 1013, Municipal uilding, on the following matters, except cases which ave been heard and on which decision has been reserved ithout further argument, pending an inspection and a port with recommendation by the committee of the board:

L. NO. 458-38-BZ—Application, June 3, 1938, under section 7h of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Son-Ray Realty and Holding Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1800-1808 East 177th street, southeast corner of Beach avenue (Block No. 3881, Lot Nos. 11 to 15, inclusive), Borough of The Bronx.

CAL. NO. 362-38-BZ—Application, May 11, 1938 under sections 6a, 6b and 21 of the building zone resolution, of David Steckler, applicant, on behalf of Henry Felsenstein, owner, to permit in a residence use district the extension in area of a garage and gasoline service station; premises 2042-2044 Ocean avenue, west side, 470 ft. south of Avenue O (Block No. 6766, Lot No. 36 and part of Lot No. 38), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 20, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December* 20, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 275-38-BZ—Application, April 14, 1938, under section 7h of the building zone resolution, of J. G. L. Molloy, applicant, on behalf of David Zipkin, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 225-229 Sherman avenue and 531-537 West 207th street, southeast corner (Block No. 2223, Lot Nos. 1 to 4, inclusive), Borough of Manhattan.

CAL. NO. 436-38-BZ—Application, June 1, 1938, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Wilgate Holding Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 53-02 Kissena boulevard, southeast corner of 153rd street, northwest corner of Kissena boulevard and Peck avenue and northeast corner of 153rd street and Peck avenue (Block No. 5163, Lot No. 74), Flushing, Borough of Queens.

CAL. NO. 177-27-BZ—Application of Seelig and Finkelstein, applicants, on behalf of Bay Road Realty Corporation, owner, reopened November 1, 1938, for consideration as to extension of time to obtain permits and to complete work—time having expired by limitation—re Application, previously granted on condition, under section 7c of the building zone resolution, permitting in a residence use district extending from a business use district the erection and maintenance of a building for store occupancy on the first story; premises north side of Broadway (Cornaga avenue), 79.18 ft. east of Mott avenue (Block No. 47, Lot No. 78), Far Rockaway, Borough of Queens.

CALENDAR

CAL. NO. 542-38-BZ—Application, June 24, 1938, under section 21 of the building zone resolution, of Patrick Quilty, applicant, on behalf of Department of Water Supply, Gas & Electricity, City of New York, owner, to permit in a business use district the erection and maintenance of an extension to an existing pumping station; extension to be used as a garage for more than five (5) motor vehicles; premises southwest corner of Fresh Meadow road and Underhill avenue (Block No. 5580, Lot No. 140), Flushing, Borough of Queens.

CAL. NO. 418-37-BZ—Application, August 25, 1937, under section 7h of the building zone resolution, of Lauritz Lauritzen, applicant, on behalf of Louis Frisse, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 115-125 Myrtle avenue, north side, 22.89 ft. east of 116th street (Block No. 9257, Lot No. 57), Richmond Hill, Borough of Queens.

CAL. NO. 888-38-BZ—Application, October 11, 1938, under sections 7a and 21 of the building zone resolution, of Abraham Farber, applicant, on behalf of Anchor Laundry of Brooklyn, Inc., owner, to permit in a residence use, and "C" area district, the alteration, extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles, and, also, the omission of the required rear yard; premises 467-473 Prospect avenue, north side, 151 ft. 4 in. west of Prospect Park West (Block No. 1113, Lot No. 62), Borough of Brooklyn.

CAL. NO. 887-38-BZ—Application, October 13, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Samuel Schenkel, owner, to permit in a business use district the erection and maintenance of an additional accessory building on an existing gasoline service station; premises 833-839 4th avenue and 168-176 30th street, southeast corner (Block No. 673, Lot No. 5), Borough of Brooklyn.

CAL. NO. 877-38-BZ—Application, October 13, 1938, under section 21 of the building zone resolution, of George A. Bagge, Jr., applicant, on behalf of Grandboro Realty Corporation, owner, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use; premises 2327 Grand Concourse, west side, 247 ft. north of East 183rd street (Block No. 3164, Lot No. 24), Borough of The Bronx.

CAL. NO. 557-38-BZ—Application, June 24, 1938, under section 21 of the building zone resolution, of Moore and Landsiedel, applicants, on behalf of Washington Heights Automobile Club, Inc., owner, to perm partly in a residence use district a partly in a business use district the co version of occupancy of an existi building to a motor vehicle repa shop; premises 4376 Broadway, ea side, 25 ft. 2-4/5 in. south of We 187th street (Block No. 2167, Lot N 47), Borough of Manhattan.

CAL. NO. 958-38-BZ—Application, October 28, 1938, und sections 21 and 7e of the building zo resolution, of Edgar A. Palmieri, appl cant, on behalf of Morris Markowit Fany Markowitz, and Mary Schi owners, to permit in a business u district the conversion of occupancy part of an existing building to garage for more than five (5) moto vehicles; premises 345-347 East 103r street, north side, 125 ft. west of Fir avenue (Block No. 1675, Lot Nos. 2 and 22), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairma*

DECEMBER 20, 1938, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Stand ards and Appeals of a public hearing under the provisio of the building zone resolution, *Tuesday afternoon, De cember* 20, 1938, at 2 o'clock, in Room 1013, Municipa Building, on the following matter, except cases whic have been heard and on which decision has been reserve without further argument, pending an inspection and report with recommendation by the committee of the board

CAL. NO. 676-38-BZ—Application, July 29, 1938, under sec tion 21 of the building zone resolutio of M. Allen Schlendorf, applicant, o behalf of Kroder-Reubel Co., owne to permit in a business use district th erection and maintenance of a saw an planing mill; premises 75-81 Herber street, north side, 50 ft. east of Nort Henry street (Block No. 2828, Lot No 1), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairma*

JANUARY 4, 1939, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Stand ards and Appeals of a public hearing under the provisio of the building zone resolution, *Wednesday afternoon, Jan uary* 4, 1939, at 2 o'clock, in Room 1013, Municipal Build ing, on the following matter:

CAL. NO. 538-37-BZ—Application, November 15, 1937, unde section 7h of the building zone resolu tion, of Nicholas Yannaco, applicant on behalf of W. H. Flattau & Son owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 501 West 185th street, northwest corner of Amsterdam avenue (Block No. 2156, Lot No. 56), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 22, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Wednesday morning, November 9, 1938 and the minutes of the regular meeting of the board held on Wednesday afternoon, November 9, 1938, were approved as printed in Bulletin No. 46, Volume 23.

BUILDING ZONE CASES

77-27-BZ.

APPLICANT—Seelig and Finkelstein, for Bay Road Realty Corporation, owner.

SUBJECT—Application reopened November 1, 1938 for consideration as to extension of time to obtain permits and to complete work—time having expired by limitation—re Application (decision of the superintendent of buildings) under section 7c of the building zone resolution, permitting in a residence use district extending from a business use district the erection and maintenance of a building for store occupancy on the first story.

PREMISES AFFECTED—North side of Broadway (Cornaga avenue), 79.18 ft. east of Mott avenue (Block No. 47, Lot No. 78), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Harry Finkelstein.

For Opposition: None.

ACTION OF BOARD—Laid over to December 20, 1938, at 10 A. M., on request of applicant.

-37-BZ.

APPLICANT—Aaron Roth, for Kahnege Corporation, owner (Juliano Bocchemuzzo, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—49-01 to 49-19 Skillman avenue, north side, between 49th street and 50th street (Block No. 132, Lot Nos. 67, 71, 72, 73 and 74), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Aaron A. Roth and Frederick Parker.

For Opposition: John J. O'Reilly, Mrs. May Warnfeld, J. J. Cotter, David L. Samuels, C. V. McLoughlin and others.

ACTION OF BOARD—Laid over for consideration by the board, without further argument. Date of disposition to be set.

38-BZ.

APPLICANT—J. G. L. Molloy, for Dapid Zipkin, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—102 Sherman avenue, north side, 100 ft. east of Dyckman street and 169-171 Dyckman street (Block No. 2224, Lot Nos. 45-48 and 53), Borough of Manhattan.

APPEARANCES—

For Applicant: J. G. L. Molloy.

For Opposition: Samuel Abrahams, Nathan Handalman, R. G. Springham, John Schmidt, Alfred W. Freeman, Samuel Katz, Sol Herzog, Emanuel Goldberg, S. Engler and David Bartell.

ACTION OF BOARD—Laid over for consideration by the board, without further argument. Date of disposition to be set.

275-38-BZ.

APPLICANT—J. G. L. Molloy, for David Zipkin, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—225-229 Sherman avenue and 531-537 West 207th street, southeast corner (Block No. 2223, Lot Nos. 1 to 4, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: J. G. L. Molloy.

For Opposition: None.

ACTION OF BOARD—Laid over to December 20, 1938 at 10 A. M. on request of applicant.

362-38-BZ.

APPLICANT—David Steckler, for Henry Felsenstein, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 6a, 6b and 21 of the building zone resolution, to permit in a residence use district the extension in area of a garage and gasoline service station.

PREMISES AFFECTED—2042-2044 Ocean avenue, west side, 470 ft. south of Avenue O (Block No. 6766, Lot No. 36 and part of Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Steckler and Henry Felsenstein.

For Opposition: Joseph Amsel, Helen E. Hannon, Jessie Ginsberg, Milton Robinson, R. C. Morton, Rose Bloomfeld, Jacob Rosenthal, Michael N. Herschaft, Mrs. Herschaft, H. H. Burtt and others.

ACTION OF BOARD—Laid over to December 13, 1938, at 2 P. M. for consideration of arguments presented and final decision, without further argument.

436-38-BZ.

APPLICANT—John F. Meehan, for Wilgate Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—53-02 Kissena boulevard, southeast corner of 153rd street, northwest corner of Kissena boulevard and Peck avenue and northeast corner of 153rd street and Peck avenue (Block No. 5163, Lot No. 74), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: John F. Meehan.

For Opposition None.

ACTION OF BOARD—Laid over to December 20, 1938, at 10 A. M., on request of applicant.

458-38-BZ.

APPLICANT—W. H. & J. F. Dusenbury, for Son-Ray Realty and Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1800-1808 East 177th street, southeast corner of Beach avenue (Block No. 3881, Lot Nos. 11 to 15 inclusive), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph F. Dusenbury.

For Opposition: Joseph Schleich.

ACTION OF BOARD—Laid over to December 13, 1938, at 2 P. M., pending inspection by a committee of the board. No further argument.

313-22-BZ.

APPLICANT—Felix M. Rosenstock, for Peronne Realty Co., Inc., owner.

SUBJECT—Application reopened November 1, 1938 (re decision of the borough superintendent of buildings) under sections 7b and 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the alteration and extension in height of an existing business building (previously granted by the board).

PREMISES AFFECTED—333-335 East Fordham road and 2534-2544 Bainbridge avenue, northeast corner (Block No. 3286, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Felix M. Rosenstock, and Robert Rubin.

For Opposition: None.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(313-22-BZ)

WHEREAS, this application, to permit in a business use district, extending into a residence use district, the erection of a business building, was granted by the board May 16, 1922, on certain conditions; and

WHEREAS the owner, requested a reopening of the case and an amendment of the resolution, to permit an extension of business use in the 2nd story into the residence use district; and

WHEREAS, this application was reopened by vote of the board November 1, 1938; and

WHEREAS a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting November 22, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, it appears that the case before the board in 1922 was for a one story business building; that thereafter under permit from the Bureau of Buildings, a second story was erected on the portion extending into the residence use district, being designated for conforming residential use; and

WHEREAS it is now proposed to use this portion for business uses; and

WHEREAS, the board deemed that the applicant had substantiated the basis of his application under Section 7, subdiv. B of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the board on May 16, 1922, so that as amended it shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition,* that the north and east walls be unpierced throughout their entire height and length; that the portion of the front exposed in brick, shall be faced with front brick and stone trimmings.

"*Resolved further,* that in the event the owner desires to construct a two-story building over the entire plot, such construction may be permitted *on condition* that there shall be no windows installed on the northerly or easterly walls within the residential area facing adjoining premises; that the portion of the building within the residential use area on the second floor may be occupied for business uses, and that the building shall not be further increased in height."

428-37-BZ.

APPLICANT—James Newell (lessee), for 870 Eighth Avenue Corporation, Board of Transportation, City of New York and Estate of John L. Sauervein (Sarah Sauervein, executrix and trustee), owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—870-884 Eighth avenue, northeast corner of West 52nd street (Block No. 1024, Lot Nos. 1, 2, 3, 63 and 161), Borough of Manhattan.

APPEARANCES—

For Applicant: James Newell and Edward J. Gallagher.

For Opposition I. H. Pollack and Andrew Taggart.

For Administration: Charles Tilgner, Department of Education.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(428-37-BZ)

WHEREAS, James Newell (lessee), for 870 Eighth Avenue Corporation, Board of Transportation, City of New York, and Estate of John L. Sauervein (Sarah Sauervein, executrix and Trustee), owners, filed September 1, 1937, an application under the building zone resolution, to permit in a retail use district for a temporary period of two years the parking of more than five motor vehicles; Premises: 870-884 Eighth avenue, northeast corner of West 52nd street (Block No. 1024, Lot Nos. 1, 2, 3 and 63 and 161), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 22, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Eighth avenue is in a retail use district; West 52nd street is in a business, retail and residence use district and West 53rd street is in a business, retail and residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated August 3, 1937, reads:

"Relative to your application for Certificate of Occupancy for parking of more than five automobiles at

the above premises, you are advised that same is disapproved, as premises are located in a retail district." and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 140 ft. on Eighth avenue, 70 ft. on West 52nd street and 20 ft. on West 53rd street. It is proposed to occupy the premises for a temporary period of not more than two (2) years for the parking of more than 5 motor vehicles; and

WHEREAS, the site and surrounding area were inspected by a committee of the Board, prior to hearing; and

WHEREAS, the Board deemed this was a proper case to exercise its discretion under Section 7, subdivision H, of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under Section 7, subdivision H, of the building zone resolution, *for a period of two (2) years*, to permit the plot under appeal to be used for transient parking of more than five (5) motor vehicles, *on condition* that only automobiles of the pleasure-car type shall be so parked; that existing buildings, fences and signs shall be entirely removed and no new building erected, except there may be erected near the entrance, a building which may be of frame construction, not exceeding one story in height and not over 150 sq. ft. in area, constructed and used as an office and shelter for attendant; that the plot shall be levelled substantially to the grade of surrounding streets and surfaced with clean cinders, clean gravel or other suitable material, properly rolled and bound to prevent dusting, and graded to provide surface drainage; that on the interior lot lines, where walls of adjoining buildings do not occur, there shall be constructed a substantial woven-wire fence not less than 6 ft. in height; that a similar fence shall be erected on the street line of West 53rd street and Eighth avenue and West 52nd street, except there may be an entrance for the full width of the lot, namely, 20 ft., to West 53rd street, and an entrance of similar width to West 52nd street, with curb cuts opposite not exceeding 15 ft. in width each; that the entrance to premises on West 52nd street shall be removed at least 25 ft. from the subway entrance; that any curb cuts now existing other than those herein permitted, shall be restored; that ample aisles shall be maintained at all times for exit and entrance; that such portable fire appliances shall be installed as the Fire Commissioner shall direct; that during the time of this variance, the premises shall be used for no other purpose than that herein permitted; that no signs shall be erected on the premises or on walls of adjoining buildings, except there may be erected at the entrance on West 52nd and West 53rd streets, a sign attached to the fence advertising the parking use, provided such sign does not exceed an area of 15 sq. ft. each; that any lights for general illumination shall be arranged on post standards with metallic reflectors so as to reflect towards the premises and away from adjoining occupancies; and that all permits shall be obtained and all work shall be completed within three months from the date of this action.

652-38-BZ.

APPLICANT—Charles G. Coster, for De Luxe Laboratories, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a and 7c of the building zone resolution, to permit in a residence use district the alteration and change of occupancy of an existing building to an office building.

PREMISES AFFECTED—448 West 56th street, south side, 125 ft. east of 10th avenue (Block No. 1065, Lot No. 59), Borough of Manhattan.

APPEARANCES—

For Applicant: James J. Kelly, E. D. McFarland and Percy Heilzer.

For Opposition None.

ACTION OF BOARD—Appication granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(652-38-BZ)

WHEREAS, Charles G. Coster, for DeLuxe Laboratories, Inc., owner, filed July 21, 1938, an application under the building zone resolution, to permit in a residence use district the alteration and change of occupancy of an existing building to an office building; Premises: 448 West 56th street, south side, 125 ft. east of 10th avenue (Block No. 1065, Lot No. 59), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 22, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 56th and West 55th streets are each in residence, business and unrestricted use district, and 10th avenue is in business and unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated June 22, 1938, re App. No. 1785-38, reads:

"1. In a residence district no building or premises may be used for any purpose other than a use specified in Article II, Sec. 3, Zoning Resolution."

and

WHEREAS, the existing building is of fireproof construction, 3 stories in height, with a frontage of 32 ft. and a depth of 95 ft. 5 in., formerly occupied as a club house; it is proposed to occupy the building for office purposes; and

WHEREAS, the Board deemed that applicant was entitled to relief under Section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under Section 21, to permit the building under appeal to be occupied for business uses, as indicated on plans and in accordance with statement filed with this application, *on condition* that the building shall not be further increased in height and that in all other respects the building shall comply with all laws, rules and regulations applicable to construction and occupancy; that this building may be used in conjunction with adjoining buildings, provided the entrances opening thereto are legally protected; that the rear yard as now existing, shall be maintained and not extended further than indicated on plans filed with this application and that all permits shall be obtained and all work completed within one year from the date of this action.

701-38-BZ.

APPLICANT—Naphtali A. Weidberg, for Frank Spano and Michael Spano, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—90-14 168th street, west side, 112.50 ft. south of 90th avenue (Block No. 867, Lot Nos. 77 and 79), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant N. A. Weidberg.

For Opposition: Robert Mulligan and Henry Eisenmann.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(701-38-BZ)

WHEREAS, Naphtali A. Weidberg, for Frank Spano and Michael Spano, owners, filed August 8, 1938, an application under the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; Premises: 90-14 168th street, west side, 112.50 ft. south of 90th avenue (Block No. 867, Lot Nos. 77 and 79), Jamaica, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 22, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that 168th street is in a business use district; 90th avenue is in a business use district; 91st avenue is in a business use district and 166th street (Merrick boulevard) is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated September 21, 1938, re N.B. 5422-38, reads:

"Your application for certificate of occupancy for parking and storage of more than five motor vehicles at the above premises is hereby denied as same is contrary to Article 2, Section 4 of the building zone resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 62.5 ft. and a maximum depth of 157.7 ft.; it is proposed to use the premises for a temporary period of not more than 2 years, for the parking and storage of more than 5 motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to hearing; and

WHEREAS, the board deemed Section 7-H does not apply here, as the plot is not entirely vacant; and, further, the board considered the plot too small to be of any importance so far as community need was concerned.

Resolved, that the decision of the Borough Superintendent on N.B. 5422-38, be and it hereby is *affrmed*, and that the application be and it hereby is *denied*.

Adjourned, 1:20 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 22, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

538-37-BZ.

APPLICANT—Nicholas Yannaco, for W. H. Flattau and Son, owners.

SUBJECT—Application (re decision of the commissioner of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—501 West 185th street, northwest corner of Amsterdam avenue (Block No. 2156, Lot No. 56), Borough of Manhattan.

APPEARANCES—
For Applicant: Murray Taigman.
For Opposition None.

ACTION OF BOARD—Laid over to January 4, 1939, at 2 P. M., for further investigation by the board of surrounding properties.

676-38-BZ.

APPLICANT—M. Allen Schlendorf, for Kroder-Reubel Co., Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a saw and planing mill.

PREMISES AFFECTED—75-81 Herbert street, north side, 50 ft. east of North Henry street (Block No. 2828, Lot No. 1), Borough of Brooklyn.

APPEARANCES—
For Applicant: M. Allen Schlendorf.
For Opposition: None.

ACTION OF BOARD—Laid over to December 20, 1938 at 2 P. M., for further investigation by applicant.

235-31-BZ.

APPLICANT—Edward L. Kelly, for Pearl Palatnick and Morcho Corporation, owners.

SUBJECT—Application for consideration—reopening and rehearing on new facts (reopening previously denied by the board)—Court having referred matter back to the board for reconsideration—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station (previously denied).

PREMISES AFFECTED—701-705 Utica avenue, east side, 100 ft. south of Clarkson avenue (Block No. 4637, Lot No. 41), Borough of Brooklyn.

APPEARANCES—
For Applicant: Leonard R. Hardy.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

148-36-BZ.

APPLICANT—Arthur Epstein, for Bowery Savings Bank, owner.

SUBJECT—Application for consideration—reopening and extension of permit re application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

MINUTES

PREMISES AFFECTED—1083-1087 Hall place and 856-864 East 167th street, southwest corner (Block No. 2691, Lot No. 86), Borough of The Bronx.

APPEARANCES—
For Applicant: Arthur Epstein.

ACTION OF BOARD—Application reopened and set for hearing December 13, 1938 at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

542-38-BZ.

APPLICANT—Patrick Quilty, for Department of Water Supply, Gas and Electricity, City of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of an extension to an existing pumping station; extension to be used as a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—Southwest corner of Fresh Meadow road and Underhill avenue (Block No. 5580, Lot No. 140), Flushing, Borough of Queens.

APPEARANCES—
For Applicant None.

ACTION OF BOARD—Application reopened and set for hearing December 20, 1938, at 10 A. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

307-28-BZ.

APPLICANT—Alfred H. Eccles, for Harry Rohdie, owner.

SUBJECT—Application for consideration — reopening — rescindment of resolution re application (decision of the superintendent of buildings) under sections 7e, 7g and 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles.

PREMISES AFFECTED—80-84 Madison avenue, north east corner of Union street (Block No. 848, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: Alfred H. Eccles.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

692-38-BZ.

APPLICANT—Leopold Friedman, for Hawthorne Amusement Corporation, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles.

PREMISES AFFECTED—31-73 Bay 19th street, east side, 254 ft. south of 86th street (Block No. 6370 part of Lot No. 23), Borough of Brooklyn.

APPEARANCES—
For Applicant: J. Eisenberg.
For Opposition None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(692-38-BZ)

WHEREAS, Leopold Friedman, for Hawthorne Amusement Corporation, owner, filed August 4, 1938, an application under the building zone resolution, to permit in a business use district for a temporary period of not more than two years, the parking of more than five (5) motor vehicles; Premises: 31-73 Bay 19th street, east side, 254 ft. south of 86th street (Black No. 6370, part of Lot No. 23), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 22, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bay 19th street is in a business use district; Bay 20th street is in a residence and business use district; 86th avenue is in a business use district and Benson avenue is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated July 28, 1938, re Applic. No. 7313-1938, reads:

"Proposed parkng of more than five motor vehicles on a vacant plot located in a business use district is contrary to Art. II, Sec. 4 (a) subd. 15 of the zone resolution. The zone resolution does not make any provision for parking of cars as an accessory use to a building located in a business use district."

and

WHEREAS, the premises part of a larger plot of ground consist of a plot having a frontage of 370 ft. on Bay 19th street and a depth of 96 ft. 8 in. On the northerly portion of the plot there is located a motion picture theatre. It is proposed to use the plot for a temporary period of not more than two (2) years for the parking (only) of more than 5 motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, which committee recommends that the application be granted for a period of two years under such conditions as the board deems necessary; and

WHEREAS, the board deemed that this was a proper case to exercise its discretion under Section 7, subdivision H, of the building zone resolution; and that hardship existed to warrant granting under Section 21, the use desired.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under Section 7-H, *for a period of two* (2) *years,* to permit the premises under appeal to be used for transient parking of more than five (5) motor vehicles, *on condition* that motor vehicles of the pleasure-car type only shall be parked; that the premises shall be levelled substantially to the grade of Bay 19th street and shall be closed on all sides with a substantial woven-wire fence not less than 6 ft. in height, with no openings therein except two to Bay 19th street, not over 15 ft. in width, with curb cuts opposite not exceeding such width; that during term of this variance, no building shall be erected on the premises, except there may be erected near the entrance a frame building, not over one story in height, not over 150 sq. ft. in area, as office and shelter for attendant; that proper aisle space shall be maintained at all times for easy exit and entrance; that such portable fire-fighting appliances shall be installed as

the Fire Commissioner shall direct; that any lights for general illumination shall be on metal standards with metal reflectors, so arranged as to reflect toward the theatre to the north and away from the adjoining occupancies in the rear, to the east or across Bay 19th street to the west; that no portion of the parking lot shall encroach upon the required exit of the theatre or be nearer than 20 ft. from the wall thereof; and that all permits shall be obtained and all work shall be completed within one month from the date of this action.

APPEALS FROM ADMINISTRATIVE ORDERS

748-38-A.

APPLICANT—Jack Z. Cohen, for Metal Etching Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—506-516 Wortman avenue and 943-953 Essex street, southeast corner (Block No. 4407, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer and J. F. Farrell.

ACTION OF BOARD—Laid over to December 6, 1938, at 2 P. M., for further consideration by the board.

981-38-A.

APPLICANT—Arthur S. Hodgkiss, for Department of Parks, City of New York.

OWNER OF PREMISES—Golden City Park Corporation.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings re revocation of permit No. 9905-38.

PREMISES AFFECTED—2130-2140 Rockaway parkway, southeast corner of Schenck avenue (Block No. 8331, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur S. Hodgkiss.

For Owner: Milton Sheen, Alfred A. Lama and W B. Roulston.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 13, 1938, at 2 P. M. for inspection by a committee of board and additional information to be furnished by the representative of Department of Buildings.

1009-38-A.

APPLICANT—Stephen Simon, neighboring property owner

OWNER OF PREMISES—L. Lordi.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re revocation of Certificate of Occupancy No. 3458, and Permit No. 9024-35.

PREMISES AFFECTED—57-16 Granger street, south side, 136 ft. east of Martense avenue (Block No. 1950, Lot No. 46), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Stephen Simon.

For Owner: Meyer Wilen.

For Administration Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 6, 1938, at 2 P. M., on request of attorney for owner.

1025-38-A.

APPLICANT—Mac L. Reiser, for Frank C. Beach, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—180 South Oxford street, west side, 371 ft. 8 in. north of Atlantic avenue (Block No. 2004, Lot No. 66), Borough of Brooklyn.

APPEARANCES—

For Applicant Mac L. Reiser.

For Administration: M. Hannes, Department of Housing and Buidings.

ACTION OF BOARD—Laid over to December 6, 1938, at 2 P. M. for inspection, by a committee of the board.

491-38-A.

APPPICANT—Julius Chomsky, for 130 East 12th Street Corporation, owner.

SUBJECT—Appeal from orders of the commissioner of buildings and a decision of the fire commissioner.

PREMISES AFFECTED—130-134 East 12th street, south side, 100 ft. west of Third avenue (Block No. 556, Lot No. 54), Borough of Manhattan.

APPEARANCES—

For Applicant: Daniel J. Levowitz and Julius Chomsky.

For Administration Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(491-38-A)

WHEREAS, Julius Chomsky, for 130 East 12th Street Corporation, owner, filed on June 14, 1938, an appeal from orders of the commissioner of buildings, affecting premises 130-134 East 12th street, south side, 100 ft. west of Third avenue (Block No. 556, Lot No. 54), Borough of Manhattan; and

WHEREAS, Order No. 37115-LF, issued by the commissioner of buildings, on September 27, 1937, reads:

"1. Provide a steam or electric feed pump of sufficient capacity to deliver 65 gallons of water per minute, at the standpipe tank. Sections 580-1, Ch. 5, Code of Ordinances.

2. Provide a fire retarded covering for all exposed standpipe lines."

and

WHEREAS, Order No. 37117-F, issued by the commissioner of buildings, on September 27, 1937, reads:

"1. Provide frost-proofing for standpipe riser.

2. Repair defective standpipe gravity tank. Sec. 580-1, Ch. 5, Code of Ord.

3. Repair of defective fill line at roof. Sec. 580-1, Ch. 5, C. of Ord.

4. Provide proper protection against freezing for all portions of the standpipe system requiring such protection. Sec. 580-1, Chap. 5, C. of O. and Rules of Board of Standards and Appeals.

5. Provide adequate heating apparatus for gravity tank to prevent water in same from freezing. Sec. 580-1, Ch. 5, C. of O."

and

WHEREAS, such orders were referred to in decision of the fire commissioner, dated November 4, 1938; and

WHEREAS, the building is 7 stories (86 ft.) in height, 45 ft. by 106½ ft. in area; of fireproof construction; equipped with a standpipe system; located in an unrestricted district; erected in 1905; occupied since 1936 as follows: Cellar—storage, no persons; 1st floor—storage of furniture, no persons; 2nd floor—storage of furniture, 2 persons; 3rd floor to 7th floor inclusive—storage, no persons; and

WHEREAS, the applicant contends that when the building was erected it was equipped with a standpipe tank on the roof; at that time the upper floors were used for manufacturing inflammable materials; that the building is now used for storage purposes; that the roof tank is no longer in a serviceable condition; that it is proposed to connect

the existing 1060-gallon steel house supply tank on the roof to the existing standpipe system; that the building is equipped with two (2) 2½-gallon fire extinguishers and six (6) water buckets on each floor.

Resolved, that the order of the commissioner of buildings No. 37117-F, as reissued by the fire commissioner, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Item 2, *on condition* that the existing steel 1060-gallon house supply tank shall be connected to the standpipe system in lieu of the required gravity tank, *on condition* that in all other respects the standpipe system shall meet all the requirements of the law and that the orders in all other respects shall be complied with, except as to Item 1 of order No. 37115-LF, requiring the 65-gallon per minute pump, and *granted* only so long as the building is used as a storage warehouse and is used for no other purpose and that such portable fire-fighting appliances are maintained as the fire commissioner shall direct; that such materials as are stored shall be classified as a "medium" fire hazard; that motor vehicles belonging to the owner or tenant, and used in connection with the storage business, may be housed in the street floor of the building, provided all requirements therefor are complied with; and that in all other respects other than as varied herein, the building shall comply with all laws, rules and regulations applicable to its construction and occupancy.

807-38-A.

APPLICANT—Maurice F. Miller, for John Mullins & Sons, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—529-533 Fifth avenue, northeast corner of 14th street (Block No. 1035, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: George E. Green.

For Administration Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(807-38-A)

WHEREAS, Maurice F. Miller, for John Mullins & Sons, Inc., lessee, filed on September 22, 1938, an appeal from an order of the Fire Commissioner, affecting premises 529-533 Fifth avenue, northeast corner of 14th street (Block No. 1035, Lot No. 1), Borough of Brooklyn; and

WHEREAS, order No. 1175-LF, issued by the Fire Commissioner August 22, 1938, reads:

"Provide a separate and distinct system of *Automatic Sprinklers* throughout cellar having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, the building is four stories (50 ft.) in height, 58 ft. by 75 ft. in area at 1st floor and 58 ft. by 50 ft. in area at typical floor level, of nonfireproof construction; located in a business use district; erected about 1905 and occupied throughout as a furniture showroom, cellar, one person; 1st floor—six persons; 2nd to 4th floors, inclusive, 10 persons; and

WHEREAS, the applicant contends that due to the size and physical construction of the building, the requirements of the order are unnecessary; that the construction of the building permits of ample facilities for ingress and egress.

Resolved, that the order of the Fire Commissioner, No. 1175-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that in lieu of the sprinkler system, there shall be a new area constructed on the 14th street side, about 30 ft. or 35 ft. from the corner of Fifth avenue, to permit access to the cellar; that all existing means of access to the cellar from the street shall be maintained; that the stairway from the cellar to the first floor on the Fifth avenue side shall be protected with fireproof material and blocked off with masonry or fire retarding material underneath the staircase to preclude material being stored; that all doors to stairways leading to the cellar shall be made fireproof and self-closing.

832-38-A.

APPLICANT—Leonard C. L. Smith, for Green Park Homes, Inc., owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—South side of Eliot avenue, 626 ft., 644 ft. and 667 ft. west of 84th street (Block No. 2941, Lot No. 1), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: L. C. L. Smith.

For Administration: C. M. McWilliams, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(832-38-A)

WHEREAS, Leonard C. L. Smith, for Green Park Homes, Inc., owner, filed, September 30, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises south side of Eliot avenue, 626 ft., 644 ft. and 667 ft. west of 84th street (Block No. 2941, Lot No. 1), Elmhurst, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings, dated September 23, 1938, re N.B. 1769-38, reads:

"Proposed buildings appear to be in bed of a city street."

and

WHEREAS, it is proposed to erect a number of two-story brick dwellings on the premises, which are located in the bed of a street now shown on the City Map; and

WHEREAS, section 35 of the General City Law empowers the board to grant a permit to erect a building within the bed of a mapped street; and

WHEREAS, the board is advised by the borough engineer that the street will undoubtedly never be opened and also that the amended plans for the route of the proposed Midtown highway will not include this street.

Resolved, that the decision of the borough superintendent re N.B. 1769-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the buildings to be erected as proposed within the bed of 82nd place, *on condition* that in all other respects the buildings shall comply with all laws, rules and regulations applicable to their construction and use.

909-38-A.

APPLICANT—Jacob Horowitz, lessee, for Annie M. McGonigle, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—158 Ninth street, south side, 295 ft. 9 in. east of Second avenue (Block No. 1008, Lot No. 22), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jacob Horowitz.

For Administration Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—
Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(909-38-A)

WHEREAS, Jacob Horowitz, lessee for Annie M. McGonigle, owner, filed October 19, 1938, an appeal from an order of the fire commissioner affecting premises 158 Ninth street, south side, 295 ft. 9 in. east of Second avenue (Block No. 1008, Lot No. 22), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, No. 76663-LC, dated September 20, 1938, reads:

"You are hereby notified that an inspection of the above premises, used to store fuel oil in drums, shows that the following must be done before the permit requested by you can be issued.

"1. Discontinue the storage and use of fuel oil equipment, piping and tanks, not installed and approved in a manner prescribed by the Oil Burner Rules of the Board of Standards and Appeals.

"2. Discontinue the use of pressure in storage tank or containers for the purpose of discharging oil. Rule 8.5, Oil Burner Rules."

and

WHEREAS, the building is 1 story (15 ft.) in height, 25 ft. by 100 ft. in area of non-fireproof construction, erected in 1921, located in an unrestricted use district and occupied for the processing of vegetable oils; and

WHEREAS, applicant contends that the tank used for storage of fuel oil is capable of standing 150 pounds pressure; that the capacity of the tank is only approximately thirty gallons; that the tank is located about twenty feet, horizontally from the burner; that the fuel is discharged from the tank under 20 lbs. air pressure, controlled both by relief valve and constant manual attention; and

WHEREAS, the board deemed after inspection, that there would be no hardship and increased safety in complying with the Oil Burner Rules of the Board of Standards and Appeals.

Resolved, that the order of the fire commissioner, No. 76663-LC be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

937-38-A.

APPLICANT—Sonnell Construction Corporation, owner.
SUBJECT—Appeal from decisions of the borough superintendent of buildings.
PREMISES AFFECTED — 216-15 121st avenue, north side, 50 ft. west of 217th street, 216-21 121st avenue, northwest corner of 217th street, 217-09 121st avenue, north side, 50 ft. east of 217th street and 217-03 121st avenue, northeast corner of 217th street (Block No. 3451, Lot Nos. 1 and 60), St. Albans, Borough of Queens.
APPEARANCES—
For Applicant: Frank J. Fellows, Jr.
For Opposition: Morris Duetsch.
For Administration David Stone, Department of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(937-38-A)

WHEREAS, Sonnell Construction Corporation, owner, filed October 27, 1938, an appeal from decisions of the borough superintendent of buildings affecting premises: 216-15 121st avenue, north side, 50 ft. west of 217th street, 216-21 121st avenue, northwest corner of 217th street, 217-09 121st avenue, north side, 50 ft. east of 217th street and 217-03 121st avenue, northeast corner of 217th street (Block No. 3451, Lot Nos. 1 and 60), St. Albans, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent on N. B. Application Nos. 7878-38, 7879-38, 7880-38 and 7881-38, dated October 19, 1938, read:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Code. Not further considered."

and

WHEREAS, the premises in question, which are located in a business use "D" area district, consist of two parcels, one fronting 100 ft. on the north side of 121st avenue and 80 ft. on the west side of 217th street, the other fronting 100 ft. on the north side of 121st avenue and 80 ft. on the east side of 217th street. It is proposed to erect on each parcel two (2) one and one-half story frame brick veneer one family dwellings each having a frontage of 40 ft. 8 in. and a depth of 25 ft. 8 in. including attached garage of brick veneer construction, completely separated from the dwelling; each building will be constructed on a plot 50 ft. by 80 ft. in area, with set-back of 25 ft. from 121st avenue building line and 15 ft. from the 217 street building line. The corner buildings will have a side yard of 14 ft. 4 in. and a rear yard of 9 ft. 4 in. The buildings on the interior lots will have a side yard of 5 ft. 2 in. on one side and 4 ft. 2 in. on the other, with a rear yard of 29 ft. 4 in. The distance between the buildings will be not less than 14 ft. 6 in.; and

WHEREAS, the applicant contends that these houses are to be sold pursuant to a written contract, which call for buildings similar to the buildings which the Sonnell Construction Corporation has erected on the next blocks; *i.e.,* 120th avenue and 217th street and 218th street; that the area is being developed as a purely residential neighborhood, the premises being restricted by deed restriction in accordance with the requirements of the Federal Housing Administration, to residential premises only; that the buildings were under contract to purchase prior to the adoption of the new Building Code; that under the old Building Code, the filed plans which have been objected to, would have been allowed.

Resolved, that the decisions of the borough superintendent, in acting on N.B. Application Nos. 7878, 7879, 7880 and 7881-1938, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the buildings shall be constructed of the size and height indicated on plans filed with the borough superintendent of buildings and as described within this appeal; that the yards and courts shall be not less than the dimensions shown thereon and that the buildings shall at all times be used solely for residential purposes, *i.e.,* occupancy by one family and that the portion of the building used for a garage shall be separated from the balance of the house by a masonry wall.

938-38-A.

APPLICANT—Sonnell Construction Corporation, owner.
SUBJECT—Appeal from decisions of the borough superintendent of buildings.
PREMISES AFFECTED—120-46 218th street, west side 430 ft. south of 120th avenue, 120-47 218th street east side, 430 ft. south of 120th avenue, 217-13 121st avenue, north side, 50 ft. west of 218th street 218-09 121st avenue, north side, 50 ft. east of 218th street, 217-19 121st avenue, northwest corner of 218th street and 218-03 121st avenue, northeast corner of 218th street (Block No. 3451, Lot No 60 and Block No. 3452, Lot No. 1), St. Albans Borough of Queens.

MINUTES

APPEARANCES—
For Applicant: Frank J. Fellows, Jr.
For Opposition: Morris Deutsch.
For Administration: David Stone, Department of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—

(938-38-A)

WHEREAS, Sonnell Construction Corporation, owner, filed October 27, 1938, an appeal from decisions of the borough superintendent of buildings affecting premises: 120-46 218th street, west side, 430 ft. south of 120th avenue, 120-47 218th street, east side, 430 ft. south of 120th avenue, 217-13 121st avenue, north side, 50 ft. west of 218th street, 218-09 121st avenue, north side, 50 ft. east of 218th street, 217-19 121st avenue, northwest corner of 218th street and 218-03 121st avenue, northeast corner of 218th street (Block No. 3451, Lot No. 60 and Block No. 3452, Lot No. 1), St. Albans, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent on N.B. Application Nos. 7891-38, 7892-38, 7893-38, 7894-38, 7895-38 and 7896-38, dated October 19, 1938, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2., of the Code. Not further considered."

and

WHEREAS, the premises located in a business use, "D" area district, consist of two parcels, each fronting 100 ft. on the north side of 121st avenue, 130 ft. on the west side of 218th street and each fronting 100 ft. 121st avenue and 130 ft. on the east side of 218th street, on each of which plots, it is proposed to erect three (3) one-and one-half story frame, brick veneer one family dwellings, each having a frontage of 40 ft. 8 in. and a depth of 25 ft. 8 in., including attached garage of brick veneer construction, completely separated from the dwelling of fireproof construction, 4 buildings located on the north side of 121st avenue, two of which will be on the northwest corner and two on the northeast corner of 218th street and 121st avenue, and will be on plots 50 ft. by 80 ft. in area. The two buildings located on 218th street are on the west side, 80 ft. north of 121st avenue and one on the east side, 80 ft. north of 121st avenue, will be on plots 50 ft. by 100 ft. in area. All buildings will be set-back for 25 ft. from the building line, with the exception of the corner buildings, which will be set back 25 ft. from one building line and 15 ft. from the other building line. The corner buildings will have a side yard of 14 ft. 4 in. and a rear yard of 9 ft. 4 in. The buildings on interior lots will have side yards 5 ft. 2 in. and 4 ft. 2 in. on the other side and a rear yard of 29 ft. 4 in. The distance between houses will be not less than 14 ft 6 in.; and

WHEREAS, the applicant contends these houses are to be sold pursuant to a written contract which calls for buildings similar to the buildings which the Sonnell Construction Corporation has erected on the next blocks; i.e. 120th avenue and 217th street and 218th street; that the area is being developed as a purely residential neighborhood, the premises being restricted by deed restriction in accordance with the requirements of the Federal Housing Administration, to residential premises only; that the buildings were under contract to purchase prior to the adoption of the new Building Code; that under the old Building Code, the filed plans which have been objected to, would have been allowed.

Resolved, that the decisions of the borough superintendent, in acting on N.B. Application Nos. 7891, 7892, 7893, 7894, 7895 and 7896-38, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the buildings shall be constructed of the size and height indicated on plans filed with the borough superintendent of buildings and as described within this appeal; that the yards and courts shall be not less than the dimensions shown thereon and that the buildings shall at all times be used solely for residential purposes, i.e., occupancy by one family and that the portion of the building used for a garage shall be separated from the balance of the house by a masonry wall.

939-38-A.

APPLICANT—Sonnell Construction Corporation, owner.
SUBJECT—Appeal from decisions of the borough superintendent of buildings.
PREMISES AFFECTED—216-26, 217-02, 217-08, 217-14, 217-18, 217-24, 218-02, 218-08 and 218-14 121st avenue, south side, 238.53 ft. east of Springfield boulevard (Block No. 3450, Lot No. 1), St. Albans, Borough of Queens.
APPEARANCES—
For Applicant: Frank J. Fellows, Jr.
For Opposition: Morris Deutsch.
For Administration: David Stone, Department of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—

(939-38-A)

WHEREAS, Sonnell Construction Corporation, owner, filed October 27, 1938, an appeal from decisions of the borough superintendent of buildings affecting premises: 216-26, 217-02, 217-08, 217-14, 217-18, 217-24, 218-02, 218-08 and 218-14 121st avenue, south side, 238.53 ft. east of Springfield boulevard (Block No. 3450, Lot No. 1), St. Albans, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent on N.B. Application Nos. 7908-38, 7909-38, 7910-38, 7911-38, 7912-38, 7913-38, 7914-38, 7915-38 and 7916-38, dated October 19, 1938, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Code. Not further considered."

and

WHEREAS, the premises located in a business use, "D" area district consists of a plot 450 ft. front by 105.25 ft., irregular in area, upon which it is proposed to erect nine (9) one and one-half story frame brick veneer one family dwellings, each having a frontage of 46 ft. 8 in. and a depth of 25 ft. 8 in. including attached garage of brick veneer construction, completely separately from the dwelling of fireproof construction, each on a plot 50 ft. front; all buildings to be set back from 121st avenue building line 25 ft. and each building to have a side yard of 5 ft. 2 in. on one side and 4 ft. 2 in. on the other side, rear yards to be not less than 49 ft. in depth, the houses to be not nearer than 8 ft. 4 in.; and

WHEREAS, the applicant contends that these houses are to be sold pursuant to a written contract which calls for buildings similar to the buildings which the Sonnell Construction Corporation has erected on the next blocks; i.e., 120th avenue and 217th street and 218th street; that the area is being developed as a purely residential neighborhood, the premises being restricted by deed restriction in accordance with the requirements of the Federal Housing Administration, to residential premises only; that the buildings were under contract to purchase prior to the adoption of the new Building Code; that under the old Building Code, the filed plans which have been objected to, would have been allowed.

Resolved, that the decisions of the borough superintendent, in acting on N.B. Application Nos. 7908, 7909, 7910, 7911, 7912, 7913, 7914, 7915 and 7916-38, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the buildings shall be constructed of the size and height indicated on plans filed with the borough superintendent of buildings and as described within this appeal; that the yards and courts shall be not less than the dimensions shown thereon and that the buildings shall at all times be used solely for residential purposes, i.e., occupancy by one family and that the portion of the buildings used for a garage shall be separated from the balance of the house by a masonry wall.

956-38-A.

APPLICANT—Soffer and Rediker, for Buckingham Wax Corporation, lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—51-03 Van Dam street, southeast corner of Borden avenue (Block No. 305, Lot No. 17), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Harry C. Soffer.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(956-38-A)

WHEREAS, Soffer & Rediker for Buckingham Wax Corporation, lessee, filed on October 28, 1938, an appeal from an order of the fire commissioner, affecting premises 51-03 Van Dam street, southeast corner of Borden avenue (Block No. 305, Lot No. 17), Long Island City, Borough of Queens; and

WHEREAS, Order No. 76812-C, issued by the fire commissioner October 7, 1938, reads:

"1. Surrender to the bearer Fire Dept. Permit No. 253189 expiring May 18, 1939, authorizing the storage of naphtha, acid, wax, at 51-03 Van Dam street, L. I. C., to be used in the manufacture of an inflammable mixture known as 'Buckingham Floor Polish' as it is revoked for the reason that a recent inspection of the premises, shows that this inflammable mixture is being packaged and distributed in one quart glass bottles, which is a violation of section C-19-59-H, of the Administrative Code, which reads as follows:

'For domestic or household use or for sale for domestic or household use, such mixtures shall be put up in a glass bottle of a capacity not exceeding four ounces, each, or in metal cans or other approved containers of a capacity not exceeding one gallon each, fitted with a tight fitting replacable top, cap or other device so made that the can or container will be air tight when closed.'

The use of one quart glass bottles as containers for inflammable mixture (Buckingham Floor Polish) is a violation of the above section.

You are, therefore, ordered to discontinue the practice of using one quart glass bottles as a container for inflammable mixture, known as 'Buckingham Floor Polish.'"

and

WHEREAS, the building is 3 stories (40 ft.) in height, 149 ft. by 211 ft. by 105 ft., irregular, in area; of non-fireproof construction; located in an unrestricted use district; erected in 1913 and occupied as follows: 1st floor—office, shipping and paint filling, 5 persons; 2nd floor—milling and mixing of paint and packaging of wax, 2 persons; 3rd floor—grinding of paint and mixing of wax, 2 persons. Certificate of Occupancy No. 27 was issued March 28, 1918; and

WHEREAS, the applicant contends that the ingredients of Buckingham Floor Polish are gum and shellac diluted with alcohol and that this mixture is not such an inflammable one as is contemplated in the section of the Code recited in the order of the fire commissioner; that to deny the appellant the right to market its product in the established manner, namely in 32 oz. glass bottles so that it may favorably compete in this market, would impose a tremendous hardship on it and seriously interfere with its business; that the premises in which "Buckingham Floor Polish" is manufactured are not adjacent to any other buildings; that all switches, starters, motors and lights are of the vapor-proof and explosion proof type; that there is no open flame on any of the floors in the building; that proper fire appliances are installed and ready for instant use.

Resolved, that the order of the fire commissioner, No. 76812-C, be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the floor polish as proposed to be packaged in 32 oz. glass bottles, *on condition* that it shall meet the requirements of the Administrative Code as to being labeled "Inflammable Mixture" and that the requirements of the resolution of the board under Cal. Nos. 371-36-A and 372-36-A shall be complied with.

985-38-A.

APPLICANT—Emery Roth and Sons for 140 Riverside Drive, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—140 Riverside drive, east side from West 86th street to West 87th street, 351 West 86th street and 348-352 West 87th srreet (Block No. 1248, Lot Nos. 1, 2, 6, 7, 8, 9 and 54 to 59), Borough of Manhattan.

APPEARANCES—

For Applicant: Julian Roth.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(985-38-A)

WHEREAS, Emery Roth & Sons, for 140 Riverside Drive, Incorporated, owner, filed November 4, 1938, an appeal from decisions of the borough superintendent of buildings affecting premises: 140 Riverside drive, east side, from West 86th street to West 87th street, 351 West 86th street and 348-352 West 87th street (Block No. 1248, Lot Nos. 1, 2, 6, 7, 8, 9, and 54 to 59), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on N.B. Application No. 144-1938, dated September 27, 1938, reads:

"A-8. Dormers on 18th floor will be too large as portions near corners overhang or project beyond dormer walls below. This is unlawful according to Sec. 26, M. D. L.

"A-9. All balconies or terraces projecting beyond lines of walls below, on the 17, 18, penthouse floors and penthouse roof, and to be erected on all fronts as shown on new plans, will be unlawful because they overhang required windows below and because they will encroach considerably on minimum set-back dimensions. Sec. 26, M. D. L. Further, penthouse setbacks will be insufficient accordingly at these points. Check-pieces or ornamental buttresses at sides of terraces and set-backs are also objectionable similarly."

and

WHEREAS, the said decision was repeated in a decision of the borough superintendent dated November 3, 1938; and

WHEREAS, the proposed building, located in a residence use district, will be 18 stories and pent house (178 ft.) in height, 201 ft. 5 in. by 150 ft. in area, of fireproof construction, to be equipped with a standpipe system, and occupied throughout as a multiple dwelling; and

WHEREAS, the applicant contends that the architectural plans on file show cornices projecting not more than 2 ft. 3 in. beyond set-back lines at the main roof, which is over the 18th floor; that Article 1, Section 4, subdivision 21, of the Multiple Dwelling Law and Article 3, Section 26, subdivision 6a, refer to encroachments; that the first of the above sections applies to yards, courts, or unoccupied spaces and the second section controls permitted encroachments on courts and yards; that the building zone resolution permits cornices under Article 3, Section 9F; that in the absence of any section of the Multiple Dwelling Law, specifically prohibiting cornices, that it was not the intention of the law to prohibit ornamental projections, such as those shown on plans on file; that it has been constantly recognized by those formulating any laws, relative to height and bulk of buildings, that ornamental features, such as balconies, spires, cornices, etc. should be permitted; and

WHEREAS, the board deemed that the projections as proposed, where beyond the envelope permitted under the Multiple Dwelling Law are illegal and to permit same would be a modification of the Multiple Dwelling Law, which the board is not empowered to grant.

Resolved, that the decision of the borough superintendent in acting on N.B. Application No. 144-38, objections A-8 and A-9, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

1000-38-A.

APPLICANT—Alloys and Products, Inc., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1101 Oak Point avenue and 510 Barry street, northeast corner (Block No. 2606, Lot No. 172), Borough of The Bronx.

APPEARANCES—

For Applicant: Henry Hecht.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(1000-38-A)

WHEREAS, Alloys and Products, Inc., owner, filed October 24, 1938, an appeal from an order and a decision of the fire commissioner affecting premises 1101 Oak Point avenue and 510 Barry street, northeast corner (Block No. 2606, Lot No. 172), Borough of The Bronx; and

WHEREAS, Order No. 8697-LC, issued by the fire commissioner August 25, 1937, reads:

"1. Discontinue the use of crank case oil for fuel purpose."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated October 10, 1938; and

WHEREAS, the building is one story (16 ft. and 42 ft.) in height, 96 ft. by 175 ft. in area, of non-fireproof construction, located in an unrestricted use district, erected in 1926 and occupied for metal refining, 25 persons, for which certificate of occupancy No. 294-26 was issued on N.B. Application 2171 of 1925; and

WHEREAS, applicant contends that this business consists of manufacturing special and standard alloys which require a high degree of refining or technical manipulation; that special equipment is employed and that the fuel cost is the largest single item of manufacturing expense and is therefore of utmost importance; that it is for this reason that waste oil is used; that this waste oil consists of discarded crank case oil purchased from gasoline service stations and has a very high percentage of free carbon not found in other grades of fuel oil; and

WHEREAS, the use of crank case oil is not permitted under the Oil Burner Rules of the board; and

WHEREAS, the board considers the use of crank case oil dangerous and contrary to the welfare and protection of the public.

Resolved, that the order of the fire commissioner, No 8697-LC, be and it hereby is *affirmed* and that the appeal be and it hereby is *denied.*

1014-38-A.

APPLICANT—E. Kalisch, Incorporated, for Hospital for Joint Diseases, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—41-59 East 123rd street, 52-58 East 124th street and 1911-1929 Madison avenue (Block No. 1748, Lot Nos. 35, 44 to 49 and 66 to 69), Borough of Manhattan.

APPEARANCES—

For Applicant: Thomas Bow.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal dismissed as being improperly before the board.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1014-38-A)

WHEREAS, E. Kalisch, Incorporated, for Hospital for Joint Diseases, owner, filed on November 10, 1938, an appeal from a decision of the fire commissioner, affecting premises 41-59 East 123rd street, 52-58 East 124th street and 1911-1929 Madison avenue, east side, between 123rd and 124th streets (Block No. 1748, Lot Nos. 35, 44 to 49, 66 to 69), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated November 3, 1938, re Plan No. 308-38, reads:

"You are advised that a recent inspection of the sprinkler system shows the following defect:

1. Provide an approved curb box.

"You are also advised that this and other defects which may be found must be corrected before a final dismissal will be granted by this department."

and

WHEREAS, the building is 4 stories (44 ft.) in height, 99 ft. 2 in. by 195 ft. 10 in. in area, of fireproof construction; equipped with a standpipe and a sprinkler system; located in a business and a residence use, "B" area and 1½ times height district; occupied as follows: Cellar—Clinic and storage, 100 persons; 1st floor—offices and clinic, 100 persons; 2nd to 4th floors, inclusive—clinic, 50 persons per floor; for which no Certificate of Occupancy has been issued; and

WHEREAS, the applicant requests the acceptance of the present shut-off valve curb box cover, which is manufactured by the Central Foundry Co. and is now installed in connection with the sprinkler system, as shown on plans filed with this appeal; and

WHEREAS, the board deemed that jurisdiction over the matter involved in this appeal, is with the Department of Housing and Buildings, and not the fire commissioner.

Resolved, that the appeal be and it hereby is *dismissed* as being improperly before the board.

MINUTES

1026-38-A.

APPLICANT—Erwin Rebafka, for Henry-William Company of the City of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—726-736 Greenwich street and 122-130 Perry street, southwest corner (Block No. 632, Lot No. 17), Borough of Manhattan.

APPEARANCES—

For Applicant: Erwin Rebafka.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1026-38-A)

WHEREAS, Erwin Rebafka, for Henry-William Company of the City of New York, owner, filed on November 15, 1938, an appeal from an order and decision of the fire commissioner, affecting premises 726-736 Greenwich street and 122-130 Perry street, southwest corner (Block No. 632, Lot No. 17), Borough of Manhattan; and

WHEREAS, Order No. 1988-LF, issued by the fire commissioner on August 13, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply arranged and equipped as per Article 16, Chap. 26, Administrative Code."

and

WHEREAS, said order was referred to in decision of the fire commissioner, dated October 31, 1938; and

WHEREAS, the building is 7 stories (85 ft.) in height, 104 ft. by 117 ft. in area; of fireproof construction; located in residential use district; erected in 1898 and occupied as follows: Cellar—warehouse, 0 persons; 1st floor—warehouse and offices, 8 persons; 2nd to 7th floors inclusive—warehouse, 6 persons throughout; and

WHEREAS, applicant contends that the basement floor area is slightly under 9,000 sq. ft. and is subdivided by a brick wall: the relative areas for the subdivision are approximately 3,000 sq. ft. on the southerly end and slightly under 6,000 sq. ft. north of the subdividing wall; all of the openings in the wall are either sealed by four-inch terra cotta blocks or protected with fire doors bearing the Underwriters' labels; that the staircase leading to the basement, the elevators and the motor room are enclosed in fire resistant material and the doors leading thereto are metal covered kalamein type; that the housekeeping conditions throughout the building are excellent, particularly so in the basement; that the present contents of the basement are case goods of wine and liquors and a few barrels and casks of the same material; that the premises are occupied as a United States Bonded Warehouse by the Republic Storage Company, Inc., and that such occupancy does not permit the storage of highly combustible materials; that the only heated space in the entire building is the ground floor office, which is heated by six gas radiators; that the ground floor is protected by Holmes Protective System; that the entire premises are protected by an automatic fire alarm system with a central station connection.

Resolved, that the order of the fire commissioner, No. 1988-LF, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that a non-automatic sprinkler system shall be installed in the cellar and that the automatic fire alarm system with central connection shall be maintained; that all pipe fittings shall be of malleable iron, and the system shall otherwise be installed in accordance with article 16 of the Building Code, excepting that the sprinkler heads may be spaced 25% in excess of the requirements and shall be supplied from the street front by a pipe riser equal in diameter to the number of heads to be supplied in the fire area, but shall not be less than 3 inches or more than 4 inches; that the street pipe shall be fitted with 3 inch single swivel pumper connection without clapper valve, as approved by the Board of Standards and Appeals for flush type siamese; that the pumper connection shall be fitted with an approved cap or plug, with an approved sign indicating the type of system and portions of the premises protected; that the signs, caps and plugs shall be painted aluminum, and that such plug need be installed only on the widest street, Greenwich street.

1030-38-A.

APPLICANT—Samuel Rosenblum, for Blanche H. Vosburgh, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—133 Reade street, south side, 48 ft. west of Hudson street (Block No. 140, Lot No. 30), Borough of Manhattan.

APPEARANCES—

For Applicant: Samuel Rosenblum.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1030-38-A)

WHEREAS, Samuel Rosenblum, for Blanche H. Vosburgh, owner, filed on November 16, 1938, an appeal from an order and decision of the fire commissioner affecting premises 133 Reade street, south side, 48 ft. west of Hudson street (Block No. 140, Lot No. 30), Borough of Manhattan; and

WHEREAS, Order No. 2116-LF, issued by the fire commissioner on August 24, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply arranged and equipped as per Article 16, Chapter 26, Administrative Code."

and

WHEREAS, said order was referred to in decision of fire commissioner dated October 27, 1938; and

WHEREAS, the building is 5 stories (61 ft. 4 in.) in height; 25 ft. by 77 ft. 6 in. in area; of non-fireproof construction; erected in 1888; located in unrestricted use district and occupied as follows: Cellar—Storage of butter and eggs, 1 person; 1st floor—office and shipping room, 3 persons; 2nd floor—vacant, 0 persons; 3rd floor—bookbinder, 4 persons; 4th floor—manufacture of pastry shortening, 2 persons; 5th floor—vacant, 0 persons; for which no Certificate of Occupancy was issued; and

WHEREAS, the applicant contends that there is no hazardous occupancy of any kind in this cellar which would require such an installation; that there is no heat, no flames, nor any condition that would be conducive to the starting of a fire; that the greater part of the cellar is occupied merely by an ice-box in which there is no chemical of any kind causing refrigeration, and this ice-box which is damp and chilled is served by brine service from a central plant outside the building and as the ice-box is constantly under this cold temperature there is nothing conducive to a fire in same; outside of this ice-box there are a few tubs of butter or crates of eggs and no combustible or hazardous material stored.

Resolved, that the order of the fire commissioner, No. 2116-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that a non-automatic sprinkler system shall be installed in the front portion of

cellar between the front of existing refrigerator and the wall at the north enclosing the vault; that all pipe fittings shall be of malleable iron and the system shall otherwise be installed in accordance with the requirements of Article 16, except that an automatic fire alarm system need not be required and except that the sprinkler heads may be spaced 25% in excess of requirements and shall be supplied from street front by a pipe riser equal in diameter to number of heads, not less than 3 in. or more than 4 in. in diameter; that the street pipe shall be fitted with a 3-in. single swivel pumper connection without clapper valve as approved by the Board of Standards and Appeals for flush-type siamese; that such pumper connection shall be fitted with an approved cap or plug; that an approved sign indicating the type of system and portions of premises protected shall be secured to wall or pumper connection; that the signs, caps and plugs shall be painted aluminum color; and that this modification shall continue only so long as the premises are occupied substantially as indicated on papers filed with this appeal.

583-22-A.

APPLICANT—Joseph F. Driscoll, for Thomson Meter Co., owner.

SUBJECT—Application for consideration—reopening and amendment re appeal from an order of the fire commissioner.

PREMISES AFFECTED—100-110 Bridge street (Block No. 66, Lot No. 19), Borough of Brooklyn.

APPEARANCES—

For Applicant: None.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(583-22-A)

WHEREAS, Thomson Meter Co., owner, filed, April 20, 1922, an appeal, with the board of appeals, from an order of the fire commissioner, affecting premises 100-110 Bridge street (Block No. 66, Lot No. 19), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner reads:

"You are hereby ordered and required, within 20 days from date of the service of this order, to:

"1. Install a standpipe system with risers 4 in. in diameter tested to withstand a pressure of 300 lbs. per square inch, extending from cellar to roof, with necessary check valves and 2½-in. regulation Fire Department outlets on each story (including basement, cellars and roofs) placed within main stairway enclosure. Each outlet to be provided with sufficient feet of 2½-inch standard hose attached thereto.";

and

WHEREAS, the building is non-fireproof, four stories in height, 120 ft. by 100 ft. in area; OCCUPIED: cellar, boiler room, repairing and storage, 7 persons; 1st story, office, shipping and manufacturing, 27 persons; 2nd, 3rd and 4th stories, manufacture of water meters, 55 persons, 2nd story; 27 persons, 3rd story, and 33 persons, 4th story; and

WHEREAS, the occupancy since the original filing of the appeal has been changed from manufacture of meters to manufacture of Eskimo pies and present occupant requested that as the Fire Department had reissued the standpipe order the board interpret its resolution as to the new occupancy; and

WHEREAS, this appeal was granted by the board, January 20, 1922, on certain conditions, resolution amended June 12, 1928, and the owner requested an amendment of the resolution, due to the change of the occupancy to a milk dairy and a reissuance of the order No. 1566-LF, Oct. 28, 1938; "Install an approved standpipe system . . ."

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted by the board on January 20, 1922, as amended by resolution on June 12, 1928, so that as amended it shall read:

"*Resolved*, that the order of the fire commissioner be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that any openings in the 8-inch brick wall subdividing the cellar be protected in accordance with the rules of the Board of Standards and Appeals, with automatic and self-closing sliding doors; that the doors in the partition between main office and stock room be made self-closing and that the transom sash be made fixed, and that the appeal be granted only so long as conditions as to occupancy and use remain substantially unchanged.

"*Resolved further*, that in the event the occupancy is changed to a milk dairy but the use of the building is substantially the same, the terms of this resolution may still apply, *on condition* that all other requirements therein are complied with, except that the light court above the 1st story may be floored over."

149-38-A.

APPLICANT—Joseph Lau, for Edgar A. Levy Management Corp., owner.

SUBJECT—Application for consideration—reopening and amendment re Appeal from a decision of the borough superintendent of buildings

PREMISES AFFECTED—1281-1289 Lexington avenue and 147 East 86th street, northeast corner (Block No. 1515, Lot No. 20), Borough of Manhattan.

APPEARANCES—

For Applicant: John W. Tynan.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(149-38-A)

WHEREAS, Joseph Lau, for Edgar A. Levy Management Corporation, owner, filed on March 9, 1938, an appeal from a decision of the borough superintendent, department of housing and buildings (Manhattan), affecting premises 1281-1289 Lexington avenue and 147 East 86th street, northeast corner (Block No. 1515, Lot No. 20), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alt. App. No. 581-1938, dated March 1, 1938, reads:

"1. Removal of stairway from 2nd floor to Lexington avenue side of building violates the provisions of Sections 6.1.2.1; 6.1.2.2.3, and 6.1.6, Building Code."

and

WHEREAS, the building is 2 stories (30 feet) in height, 62 feet 2 inches by 100 feet 8 inches in area; of non-fireproof construction; erected in 1916; located in a business use district and occupied as follows: Cellar—stores, 45 persons; 1st floor—stores and restaurant, 200 persons; mezzanine—restaurant, 50 persons; 2nd floor—offices, 30 persons; for which certificate of occupancy No. 12742 was issued July 9, 1927; and

WHEREAS, applicant contends the primary means of exit is a steel stair 66 inches wide, enclosed on one side by a masonry wall, and the other side at first floor level with stud partition covered on one side with metal lath and

plaster; that this stairway leads directly to the street; that the public hall on the second floor is 72 inches wide with part of public hall of masonry and the remaining portions studs covered with metal lath and plaster and all doors opening thereon kalamein doors with polished wire glass and metal trim and bucks; that a few of the doors having plain glass will be replaced with polished wire glass; that from the second floor there is a steel stair 48 inches wide enclosed in fire-retarded partitions on one side and masonry wall on other which leads to the roof through an existing bulkhead; that the primary means of egress through 72 inch wide public hall and 66 inch wide steel stair leading directly to street and roof will remain intact and unaltered; that the alteration consists of the removal of an existing steel stair 48 inches wide at the end of the public hall and leading to the street from the second floor, and the substitution of a 48 inch wide passage enclosed on one side with metal lath and the other side in a stud partition covered on both sides with metal lath and cement plaster; that the passage will lead from the second floor public hall directly to Lexington avenue side of building through a door opening out onto an iron platform and a counter-balanced steel stair which shall in every way comply with all requirements; that this counter-balanced stair to lead down to sidewalk and serve as the secondary means of egress; and

WHEREAS, this appeal was granted by the board March 15, 1938, on certain conditions and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on March 15, 1938, so that as amended the resolution shall read:

"*Resolved*, that the decision of the borough superintendent, Department of Housing and Buildings, acting on Alt. Plan No. 581-38, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the existing primary means of exit consisting of a stair 66 inches in width shall be continued, leading directly to the street; that it shall be protected by enclosing walls consisting of masonry wall of building on one side and on the other side with stud partition consisting of metal lath and plaster; that the soffit under stair shall be protected with metal lath and plaster; that no closet shall be installed under these stairs, but the open area shall be protected with a sprinkler head attached to the water supply system of the building; that the existing second means of exit may be removed from the 2nd floor to the street but shall be retained for exit to the roof; that the occupancy of the 2nd floor shall not exceed the legal capacity for primary means of exit, and that the 2nd floor shall not be used for manufacturing purposes."

VARIATIONS OF LABOR LAW

867-38-S.

APPLICANT—American Can Company, owner.

SUBJECT—Variation of the Labor Law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—10-24 Dwight street, 5-21 Delevan street and 1-19 Verona street (Block No. 523, Lot No. 18), Borough of Brooklyn.

APPEARANCES—

For Applicant: Joshua Didrikson.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(867-38-S)

WHEREAS, American Can Company, owner, filed October 5, 1938, an application for a variation of the labor law as cited in an order and decision of the fire commissioner, affecting premises: 10-24 Dwight street, 5-21 Delevan street, and 1-19 Verona street (Block No. 523, Lot No. 18), Borough of Brooklyn; and

WHEREAS, Order No. 582-LF, issued by the fire commissioner, June 16, 1938, reads:

"3. Unfasten or unlock wire mesh screens on windows and leave same unfastened during working hours. Section 272 of the Labor Law."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated September 17, 1938; and

WHEREAS, the building is 4 stories (60 ft.) in height, 200 ft. by 200 ft. in area at first floor and 200 ft. by 60 ft. in area at typical floor level, of fireproof construction, erected in 1885 and occupied as follows: 1st floor—storage of machines, no persons; 2nd floor—same; 3rd floor—storage of machinery and stationery, 12 persons; 4th floor—engraving, 12 persons; the building is equipped with a sprinkler system; and

WHEREAS, applicant contends that the order refers to the windows on the first floor, building marked "A" of plans filed with this appeal; that the screens consist of wood frames with a light galvanized wire mesh screen attached thereto; that these frames are hinged at the top and hooked from inside at the bottom; that these screens are not only to protect the windows from breakage, but to protect the machinery which is stored in this building.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, and that the application be and it hereby is *granted*, in connection with order of the fire commissioner No. 582-LF, Item 3, *on condition* that all other items of the order shall be complied with and that the exits as shown on plans filed with this application shall be maintained at all times; and that the sprinkler system shall be maintained to the satisfaction of the fire commissioner.

995-38-S.

APPLICANT—Belle Culhane, owner.

SUBJECT—Variation of the Labor Law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—40-11 23rd street, east side, 100 ft. 1¼ in., south of 40th avenue (Block No. 408, Lot No. 20), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Belle Culhane.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(995-38-S)

WHEREAS, Belle Culhane, owner, filed November 7, 1938, an application for a variation of the labor law as cited in a decision of the borough superintendent, Department of Housing and Buildings, affecting premises 40-11 23rd street, east side, 100 ft. 1¼ in. south of 40th avenue (Block No. 408, Lot No. 20), Long Island City, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Alteration Application No. 7966-38, dated October 20, 1938, reads:

"1. Two exits are required from the 2nd story in compliance with section 270 of Labor Law. The stairway should lead directly to the street to be enclosed

by fireproof partitions and provided with a concrete slab at roof 3 ft. above main roof."

and

WHEREAS, the building is 2 stories (29 ft. 8 in.) in height, 25 ft. by 85 ft. in area at first floor, and 25 ft. by 42 ft. in area at second floor, of non-fireproof construction, erected in 1931 and occupied as follows: Cellar, boiler room, no persons; 1st floor, office and light manufacturing, 7 persons; 2nd floor, storage of tobacco and cigars, 2 persons; for which no certificate of occupancy has been issued. The building is equipped with one 3 ft. 8 in. wide iron stairs enclosed with 4 inch terra cotta partitions, with fireproof doors at openings; said stairs lead from second floor direct to street; and

WHEREAS, the applicant contends that the second floor has an area of only 950 sq. ft., that an additional stairway would obstruct the front of the building to such an extent as to render it useless.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, and that the application be and it hereby is *granted*, in connection with decision of the borough superintendent on Alteration Application No. 7966-38, *on condition* that the primary means of exit shall be enclosed in fireproof or fire-retarded materials and leading directly to the street, but need not be extended to the roof; except that an approved ladder leading through an easily openable scuttle shall be maintained for exit to the second story roof, where shown; that as a secondary means of exit from the second story, there shall be a door opening on the rear roof, on which shall be placed a steel ladder of sufficient length to reach from the rear of roof to the adjoining ground; that the second story may be used in conjunction with the first story for manufacturing purposes, and that other than as varied herein all requirements of the Labor Law and all other laws and regulations shall be complied with.

APPLIANCES SUBMITTED FOR APPROVAL

'918-22-SA.

APPLICANT—Williams Oil-O-Matic Heating Corporation, owner.

SUBJECT—Application for reopening—amendment—Williams Oil-O-Matic Fuel Oil Burner, Model HP-3—Approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

'HE RESOLUTION—

(918-22-SA)

WHEREAS, the Fuel Oil Burner Corp., owner, filed July 0, 1922, an application with the Board of Standards and ppeals for approval of the appliance known as the Wilms Oil-O-Matic Fuel Oil Burner; and

WHEREAS, this appliance was approved by the board November 21, 1922, for general installation and various models this burner have been incorporated in this approval from ne to time; and

WHEREAS, the present owner, the Williams Oil-O-Matic eating Corporation, has requested approval of Model P-3; and

WHEREAS, the report of the engineer of the board on is model, is as follows:

REPORT OF ENGINEER OF BOARD

Cal. No. 918-22-SA

Williams Oil-O-Matic Fuel Oil Burner, Model HP-3

Under date of July 15, 1924, the board approved the Williams Oil-O-Matic Fuel Oil Burner and under date of July 17, 1934, approved various models, J, JJ, Junior, K, KA, KB and R and water heater models for use with fuel oil not heavier than No. 4, in all type of installations and request has been made for inclusion of Model HP-3.

This model was inspected and tested at 329 East 48th street.

This model is similar in design and function to the Model K type embracing the following identical features: base stand and legs, fan housing and fan, draft pipe and air cone, motor (capacitator type), transformer and electrodes, adjustable air shutter, optimal controls from Penn Electric Switch Co., Mercoid Corp. or Minneapolis Honeywell. The only difference in design is the elimination of the metering and atomizing unit, substituted with a two-stage pump operating the unit at a pressure of 100 lbs.

This model has been approved by the Underwriters Laboratories, Guide No. 300-10.4, File MP 1133.

It is recommended that the Williams Oil-O-Matic Fuel Oil Burner, Model HP-3 be approved for use in New York City on condition that the burner be installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and in conformity with the above report.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of July 15, 1924, as amended by resolution adopted June 23, 1931 and July 17, 1934, so that as amended the resolutions shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Williams Oil-O-Matic Fuel Oil Burner, Models J. JJ, Junior, K, KA, KB, R and HP-3 and water heater models for use with fuel oil not heavier than No. 4 U. S. Dept. of Commerce Standards in all types of installations, when installed in accordance with the Oil Burner Rules of the board and as to Model HP-3 in accordance also with above report, *on condition* that on all future installations each model shall have a label permanently affixed thereto reading:

Approved by the
Board of Standards and Appeals
for Use in New York City
Under Cal. No. 918-22-SA.

572-38-SA.

APPLICANT—Gilbert & Barker Mfg. Co., owner.

SUBJECT—Gilbarco Calcometer M96, Gasoline Dispensing Pump—Approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(572-38-SA)

WHEREAS, the Gilbert and Barker Manufacturing Co., owner, filed July 5, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Gilbarco Calcometer M96, Gasoline Dispensing Pump, under the provisions of C.26-191.0 Administrative Code (2.2.3 BC) and C.19-69.0 C. Administrative Code; and

WHEREAS, this appliance was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests is as follows:

MINUTES

REPORT OF COMMITTEE ON TESTS

Re.: Cal. No. 572-38-SA.

Gilbarco Calcometer M96 Gasoline Dispensing Pump

The Gilbert and Barker Mfg. Co. filed July 5, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Gilbarco Calcometer M96 Gasoline Dispensing Pump under the provisions of C.19-69.0 C. Administrative Code, C.26 191.0 Administrative Code (2.2.3 BC).

The committee on tests inspected and tested this pump at 26 Broadway, New York City. This is an electric driven metering pump with a computer type of registering mechanism in principles of construction to model T90 which is now approved for use.

A ¼ H.P. explosion proof electric motor drives a positive type of rotary pump to raise the liquid from the tank and furnish a pressure of just under twenty pounds for proper metering. Between the pumping unit and the meter an air separator is placed to separate air which might be admitted through a defective suction line, this separator also functions to provide room for expansion of liquid under changing temperatures.

The mechanism which makes it necessary to maintain a tension on the hose in order to keep the motor running has been improved over that in Model T90. This mechanism consists of a clamp which embraces the hose and is connected through a mechanical linkage to a double bell crank. This linkage is provided with suitable swivels so that the hose has complete freedom of movement and is not cramped on any position. The double bell crank pivots around a pin in such a manner that pressure is exerted on a lever on either leg of the bell crank rotating the fulcrum of this lever and raising weight and close motor switch releasing pressure on the hose causes weight to drop by force of gravity and open motor switch. The weight is of sufficient mass to throw switch to the "off" position even though a slight tension is maintained on hose.

By means of a leakage coupled to hose hook and line the hose pull mechanism is locked on the "off" position when nozzle is resting in its proper place. Adequate provision has been made to prevent weight of hose pulling in a downward position in case of a ruptured coupling and from closing the meter circuit.

The device has been approved by the Underwriters Laboratories (MH 1941) as certified in letter dated July 2, 1938. As a result of this inspection and test it is recommended that the Gilbarco Calcometer M96 Gasoline Dispensing Pump be approved for use in New York City under the provisions of C19-69.0 Administrative Code, on condition that the device bear a label permanently affixed thereto reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 572-38-SA".

(Sgd.) CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Engineer

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Gilbarco Calcometer M96, Gasoline Dispensing Pump, when constructed and installed in accordance with the above report and with the provisions of C.19-69.0 of the Administrative Code, *on condition* that the appliance shall have a label permanently affixed thereto reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
Under Cal. No. 572-38-SA.

683-38-SA.

APPLICANT—The Brooklyn Union Gas Company, for Surface Combustion Corporation, owner.

SUBJECT—Application for consideration—reopening and amendment to include Models UG 45-37 and CG 45-37—re Janitrol Gas Unit Heater, various models.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(683-38-SA)

WHEREAS, the Surface Combustion Corporation, owner, filed August 1, 1938, an application with the Board of Standards and Appeals for approval of their appliance known as the Janitrol Gas Unit Heater, Models UG 60-37, UG 85-37, UG 100-37, UG 125-37, UG 160-37, UG 200-37, UG 400, CG 60-37, CG 85-37, CG 100-37, CG 125-37, CG 160-37, CG 200-37, CG 400, M 2000, M 3000, M 4000, D 4000, UG 60-35, UG 125-35, UG 200-35, CG 10-34 and CG 8-34; and

WHEREAS, this appliance was submitted to the engineer of the board for investigation and report; and

WHEREAS, the report of the engineer of the board was as follows:

REPORT OF TEST

Cal. No. 683-38-SA
Application of the Surface Combustion Corp.,
Approval of the Janitrol Gas Unit Heater.

Under date of August 1, 1938, the Surface Combustion Co. filed with the Board of Standards and Appeals for approval their appliance known as the Janitrol Gas Unit Heater. This is an electrically operated gas fired unit heater designed for general space heating and in all cases is to be suspended from the ceiling or other suitable support. The heaters are provided with a flue of proper construction to carry away the products of combustion.

The burner compartment is entirely enclosed and the heated products of combustion enter a series of radiating tubes on their way to the flue. An electric motor drum blower mounted at the rear of the heater forces air through and around the radiating tubes. The heated air is then forced from the discharge hood at the front of the heater into the room. The flue opening of the heater may be at the top or at the back.

To operate the heater the hand-operated gas shut-off valve which is installed in the gas piping, is opened. The gas pilot cock is then opened. This permits gas to enter into the safety gas pilot, the burner of which is located within the combustion chamber. After the pilot light is ignited, the motor switch, which is located at some convenient point, is closed, and the blower operated. Ordinarily the safety pilot is adjusted to function within three minutes and operates by the heating of a bi-metallic element, which mechanically, by means of a push rod, indirectly controls the valve through which the gas supply to the burners passes, in such a way that if the pilot is out the gas valve will be shut. This same gas valve is also controlled by a sail valve placed in the air stream created by the fan, and is operated in such a way that the sail valve will close the main burner gas valve if there is no stream of air passing due to the non-operation of the fan.

There is also a control which limits the temperature to which the heating elements can rise. This control acts to start the fan if for any reason the burner flame control fails to act in shutting off the main burners.

There are two types of this heater:

Series U and Series C, which are identical except that the combustion chamber heating tubes and flue connection are of chrome steel alloy in Series U and of ingot iron in Series C. This type is used for general installations.

All types are for use in airplane hangars, storage and non-storage garages and similar occupancies, and are equipped with a manifold enclosing all openings in the heater leading directly into the combustion chamber, except those heaters which have apertures that take the air for combustion from the room to be heated, in which case the apertures are protected by wire gauze. Types D and M are provided with air ducts for drawing air for combustion from the outside of the building.

This appliance has been approved by the Underwriter's Laboratories Misc. Hazard No. 2319 Appl. No. 31 C 1950 report dated August 13, 1931 and the large and small models approved by the fire commissioner January 30, 1932, Certificate of Approval No. 695.

It is recommended that the Janitrol Gas Unit Heater, Models UG 60-37, UG 85-37, UG 100-37, UG 125-37, UG 160-37, UG 200-37, UG 400, CG 60-37, CG 85-37, CG 100-37, CG 125-37, CG 160-37, CG 200-37, CG 400, M 2000, M 3000, M 4000, D 4000, UG 60-35, UG 125-35, UG 200-35, CG 10-34 and CG 8-34 (the numbers represent existing B.T.U. input capacity in thousands), be approved for use in airplane hangars, storage and non-storage garages, motor vehicle repair shops and similar occupancies, including rooms in which inflammable vapors are present and including spray rooms, even though the requirements of the paint spraying rules do not include such use, on condition that the unit is placed so that the bottom of the heater is at least 8 ft. above floor level located at or above the grade of the curb or roadway if there is no curb, and at least 2 ft. from any combustible material, and for general use in all commercial occupancies on the above conditions, except as to height above floor, and that the device have a label permanently affixed thereto reading "Approved by the Board of Standards and Appeals for use in New York City, Cal. No. 683-38-SA."

LESLIE V. HUBER,
Chief Engineer.

and

WHEREAS, this appliance was approved by the board September 20, 1938, and applicant requested an amendment of the resolution to include Models UG 45-37 and CG 45-37; and

WHEREAS, the report of the Engineer of the Board as to these models was substantially as follows:

These models were investigated by the Engineer of the Board and Inspector Hille of the Division of Combustibles of the Fire Department, and found to be similar to the other models in operation, the only difference being a question of size, the UG 45-37 and CG 45-37 being a size smaller than the smallest previously approved.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Janitrol Gas Unit Heater, Models UG 45-37, UG 60-37, UG 85-37, UG 100-37, UG 125-37, UG 160-37, UG 200-37, UG 400, CG 45-37, CG 60-37, CG 85-37, CG 100-37, CG 125-37, CG 160-37, CG 200-37, CG 400, M 2000, M 3000, M 4000, D 4000, UG 60-35, UG 125-35, UG 200-35, CG 10-34 and CG 8-34, for use as recommended in the above report, when installed, operated and labelled in accordance with said report.

884-38-SA.

APPLICANT—The Linde Air Products Company, owner.

SUBJECT—Acetylene Generator "Carbic Type CMP 2" (for welding)—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved, in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(884-38-SA)

WHEREAS, the Linde Air Products Company, owner, filed October 13, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Acetylene Generator "Carbic Type CMP 2" (for welding) under the provisions of C.19-92.0, Administrative Code, C.26-191.0 (2.2.3 BC); and

WHEREAS, this appliance was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests was as follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 884-38-SA

Subject: Acetylene Generator "Carbic Type CMP 2" for Welding.

November 21, 1938.

The Linde Air Products Company filed October 13, 1938, an application with the Board of Standards and Appeals for approval of the Acetylene Generator "Carbic Type CMP 2" for welding, under the provisions of C.19-92.0 Administrative Code, (2.2.3 BC) C.26-191.0 Administrative Code.

The Carbic Type CMP-2 acetylene generator is of the medium pressure class, that is, is capable of supplying acetylene at pressures not to exceed 15 lbs. per sq. in. Its basic principle of operation is the same as that of the Carbic Type CLP-4 low pressure acetylene generator which is for pressures less than 1 lb. per sq. in. and is covered by Fire Department of the City of New York, Certificate of Approval No. 258.

Carbic processed carbide are cakes 4 in. in diameter and 3 in. high. The cake holder of the CMP-2 is capable of receiving eight such cakes which are held above the water level in the generating chamber. After the generator has been put in operation and acetylene is being drawn from it, water in the generating chamber rises to displace the acetylene. When this touches the lower cake, a small quantity of acetylene is generated and a like quantity of water moves from the generating chamber over to the compression chamber on the other side of the circular wall, which separates the two chambers. The generation of acetylene is automatic after pressure is built up. The cake holder charged with cake of carbic processed carbide is slipped through the charging door and set down in the generator. A by-pass valve which connects the generating and compression chambers is opened to the by-pass position so that pressure in the two chambers can be equalized. The operating lever at the top of the generator is then moved downward to lower the cake holder and partially submerge the bottom cake in the water. From this contact, acetylene is generated, and an equal pressure is built up in the generating and compression chambers. When this pressure reaches 14 pounds per square inch, as shown on the pressure gauge, the operating lever is released and the cake holder automatically moves upward so that the cakes are no longer in contact with water. The by-pass valve is then turned to the vent position, and the air-gas mixture is discharged into the atmosphere. (Important—This venting must be done outside buildings.)

The by-pass valve is returned to the by-pass position and generation is again started by holding down the operating lever. When the pressure gauge registers 3 pounds more than the desired line pressure, the operating lever is released and the by-pass valve is

turned to the generating position. The generator is now ready for service. The generation of acetylene is entirely automatic, controlled by the movement of water in the generator. As acetylene is drawn from the generating chamber, the pressure in the compression chamber forces the water upward in the generating chamber, where it comes in contact with the bottom of the lowest cake of Carbic processed carbide, until sufficient acetylene is generated to force the water down away from the cake. The process is continuously and automatically repeated during the operation of the generator.

When the operation of a generator is stopped for a prolonged period, or the generator is moved, the cake holder can be sealed off from the water shell. This is accomplished by releasing the operating lever interference latch and moving the lever to above the latch. This lifts the sealing cone until it seats against the ring, thereby closing off the entire cake holder from water and water vapor.

Inspection and test were made of this device at the plant of the owner in Newark, N. J., by the committee and Engineer Inspector Michaels of the Division of Combustibles, Fire Department, whose separate report is filed with this application. The device has been approved by the Underwriters' Laboratories, Guide No. 20.C 3.05. File A625.

On the basis of the inspection and test it is recommended that Acetylene Generator Carbic Type CMP 2 for welding be approved for use in New York City, on condition that the device bear a label permanently affixed thereto, reading "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 884-38-SA."

(Sgd.) CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Acetylene Generator "Carbic Type CMP 2" (for welding), manufactured by the Linde Air Products Company, *on condition* that the device shall be manufactured, operated and labeled in accordance with above report and in accordance with the requirements of C.19-92.0, Administrative Code.

MATERIALS SUBMITTED FOR APPROVAL

486-38-SM.

APPLICANT—The Lincoln Electric Company, owner.

SUBJECT—Application for reopening—amendment—(additional sizes of welding electrodes, viz.,—Fleetweld No. 5, sizes 1/8 in. and 3/16 in., for use in overhead horizontal and vertical positions: sizes 1/8 in., 3/16 in., 1/4 in., 5/16 in. and 3/8 in. for use in horizontal position; Fleetweld No. 7, 7/32 in., 1/8 in. and 3/16 in., for use in overhead, horizontal and vertical positions; sizes 1/4 in., 5/16 in. and 3/8 in. for use in horizontal position)—Lincoln Welding Electrodes, Fleetweld Nos. 5 and 7 and Shield Arc No. 85.

APPEARANCES—
For Applicant: Wm. H. Borst.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(486-38-SM)

WHEREAS, the Lincoln Electric Company, owner, filed June 13, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Lincoln Welding Electrodes, Fleetweld, Nos. 5 and 7 and Shield Arc No. 85; and

WHEREAS, the material was submitted to a committee of the board for test and report; and

WHEREAS, the report of the committee was as follows:

REPORT OF COMMITTEE ON TESTS

July 19, 1938

Re: Cal. No. 486-38-SM.
Subject: Lincoln Fleetwe'd No. 5, Fleetweld No. 7 Welding Electrodes.

On June 13, 1938, the Lincoln Electric Company filed an application for approval of Fleetweld No. 5 and Fleetweld No. 7 welding rods.

A Committee of the Board witnessed the making up of the all-weld metal tension test samples at the applicant's welding shop, No. 330 West 42nd street (basement) on July 8th and July 13th, 1938. Samples were made up with Fleetweld No. 5 (reversed polarity) and Fleetweld No. 7 (straight polarity) 5/32" rods.

REVERSED POLARITY:

Specimens were made of Fleetweld No. 5 rods 5/32" as follows:

1. Overhead	19 beads	Marked F W 5 O H
2. Horizontal	8 beads	Marked F W 5 F
3. Vertical	7 beads	Marked F W 5 V

and similarly for straight polarity, as follows, on Fleetweld No. 7 rods 5/32":

1. Overhead	18 beads	Marked F W 7 O H
2. Horizontal	8 beads	Marked F W 7 F
3. Vertical	8 beads	Marked F W 7 V

The base plates were bevelled as required for the welds in accordance with A.S.T.M. Specifications A-7-36.

Samples were not stress relieved and were subject to a tensile test at the Robert W. Hunt Company Laboratory.

RESULT OF TEST

Reverse Polarity Specimens.

Specimen No.	*Tensile Strength*	*Percentage of Elongation in 2"*
F W 5 0 H	69520 lbs. sq. in.	20.5
F W 5 F	69270 lbs. sq. in.	27.5
F W 5 V	65970 lbs. sq. in.	24.5

Specimen No.	*Tensile Strength*	*Percentage of Elongation in 2"*
F W 7 0 H	76930 lbs. sq. in.	16.0*
F W 7 F	74160 lbs. sq. in.	25.0
F W 7 V	73850 lbs. sq. in.	23.0

*The specimen was the subject of a re-test with the following results:

Specimen No.	*Rod No.*	*Tensile Strength*	*Percentage of Elongation in 2"*
07-1	7	67600 p.s.i.	20.30
07-2	7	69130 p.s.i.	23.45

In all cases the rupture was clean and an inspection of the cross section showed a complete absence of voids and slag inclusions.

All samples met the requirements of the American Welding Society for No. 10 grade which specifies a working stress of 60,000 lbs. per square inch and an elongation of 20 per cent for non-stress relieved specimens.

Shield Arc 85 Electrode was withdrawn by the applicant

It is accordingly recommended that Fleetweld No. 5, 5/32" welding rods, manufactured by the Lincoln Electric Company, Cleveand, Ohio, be approved for use in New York City in overhead, flat and vertical position when used with reversed polarity and that Fleet-

weld No. 7, 5/32" welding rods be approved for use in New York City in overhead, flat and vertical position when used with straight polarity. Both rods to be approved as meeting the requirements for Grade No. 10 and of Rule 7, subdivision 2, of the Welding Rules of the Board of Standards and Appeals.

All rods to be in standard lengths coated with a heavy flux coating and packed in bundles marked, labeled or stamped, indicating the name and grade and bearing the following notice: "Approved by the Board of Standards and Appeals for use with direct current, under Cal. No. 486-38-SM"; the No. 5 rod to bear this additional wording on the label: "For use with reversed polarity in all positions"; and the No. 7 rod to bear this additional wording on the label: "For use with straight polarity in all positions."

(Sgd.) BERNARD A. SAVAGE,
CHARLES M. BLUM,
Commissioners.
LESLIE V. HUBER,
Chief Engineer.

and

WHEREAS, a further report of the Committee on Tests dated November 18, 1938, reads:

REPORT OF COMMITTEE ON TESTS

November 18, 1938

Re: Cal. No. 486-38-SM.
Subject: Lincoln Fleetweld No. 5, and Fleetweld No. 7, Welding Electrodes.

The Lincoln Electric Company of Cleveland, Ohio, filed on November 16, 1938 a request for reopening of this calendar number, for the purpose of listing additional sizes of welding electrodes as herein set forth for approval under the tests performed as described in the original approval. The material of which these additional sizes are manufactured is exactly identical with that tested, the only difference being in the additional size of the various electrodes, which are as follows: Fleetweld No. 5, sizes 1/8" and 3/16", for use in overhead horizontal and vertical positions, and sizes 1/8", 3/16", 1/4", 5/16" and 3/8" for use in horizontal position. All No. 5 electrodes to be used with *reversed polarity*. The additional sizes of Fleetweld No. 7 welding electrodes are 3/32", 1/8", and 3/16", for use in overhead, horizontal and vertical positions, and sizes 1/4", 5/16" and 3/8" for use in horizontal position. All No. 7 electrodes to be used with straight polarity.

The Comittee on Tests accordingly recommends that these additional sizes and uses of Fleetweld No. 5 and Fleetweld No. 7 be approved for use in New York City in accordance with the provisions of the original approval, and provided that these rods are manufactured of the same material as the rods originally specified and approved, and all rods to have the same flux coating as the rods originally tested.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the materials known as Lincoln Welding Electrodes, Fleetweld No. 5 and Fleetweld No. 7, for use in New York City, *on condition* that the material be manufactured, used and labeled in accordance with the above reports.

733-38-SM.
APPLICANT—The Ruberoid Company, owner.
SUBJECT—Application for reopening—amendment — re Ruberoid Built-up Roofing, Asphalt Shingles, Asbestos Shingles and Corrugated Asbestos roofing.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Application reopened and resolution amended.
THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(733-38-SM)

WHEREAS, the Ruberoid Company, owner, filed August 23, 1938, an application with the Board of Standards and Appeals for approval of the material known as Ruberoid Built-up Roofing, Asphalt Shingles and Asbestos Shingles; and

WHEREAS, this material was submitted to the Committee on Tests of the board, for test and report; and

WHEREAS, the report of the Committee on Test was as follows:

Cal. No. 733-38-SM October 11, 1938.
Subject: Ruberoid Roofing Materials.

REPORT OF COMMITTEE ON TESTS

The Ruberoid Company of New York City filed August 23, 1938, with the Board of Standards and Appeals, an application for approval of their roofing materials as listed herein under tests specified in C-26-680 AC (10.12.11.1 BC) and Group 16, Art. 2 A.C. (10.1.16 BC).

This roofing material is manufactured at their plant in Bound Brook, N. J., St. Louis, Mo., Erie, Pa., Baltimore, Md., Joliet, Ill., Mobile, Ala., and Millis, Mass.

The following test samples consisted of complete assemblies of roof deck and covering, as is applied in practice, having an area of 12 square feet. Upon these roof decks was placed a fully burning brand for the purpose of investigating the possibility of spread of flame and depth of charring and ignition of the wood decking. Results of these tests and specifications for heavier material or greater coverage are described herein. The quantities of waterproofing material used between plies of felt are 30 lbs. per square, and top surfacing of any smooth surface specification is 25 lbs. per square; if slag or gravel is used, the top pouring is asphalt 50 lbs. per square, and coal tar pitch, 75 lbs. pouring per square.

Tests were performed on typical roof deckings, representative of each group of roofing material, as follows:

BUILT-UP ROOF AND RE-ROOFING SPECIFICATIONS

TEST NO. 1. THREE-PLY ASPHALT FELT, ASPHALT AND SLAG SPECIFICATION

Specification No. 1. Three-ply Asphalt and Slag or Gravel specifications over 7/8" wood sheathing composed of 1-30 lb. asphalt saturated rag felt and 2-14 lb. asphalt saturated rag felts mopped solid over the base felt and surfaced with a top pouring of asphalt into which is embedded a surfacing of slag on the basis of 300 lbs. per 100 sq. ft. of roof area.

The brand was consumed in 23 min. 30 sec., charring the top ply with no effect on the combustible deck. (See photo marked "Test No. 1").

Similar roofings of heavier construction are also manufactured as follows:

Specification No. 2. (Over wood deck). Three-ply Asphalt and (slag or gravel) using 1-30 lb. asphalt saturated rag felt and 2 layers of 14 lb. asphalt saturated rag felt, mopped solid and surfaced with slag

or gravel with the alternative that in place of a 30-lb. felt, 2 layers of 14 lb. or 2-15 lb. felt may be used as the base felt. For inclines from ¼″ up to 3″ per foot.

Specification No. 3. (Over wood deck). Four-ply Asphalt and (slag or gravel) using 1-30 lb. asphalt saturated rag felt as a base felt with 3-14 lb. felts, mopped solid, surfaced with slag or gravel with the alternative that in place of the 30 lb. asphalt felt, 2 layers of 14 lb. felt may be used as the base felt. For inclines from ¼″ up to 3″ per foot.

Specification No. 4. (Over non-combustible deck, or over rigid roof insulation) 3 plies of 14 lb. or 3-15 lb. Asphalt saturated rag felt all mopped solid and surfaced with slag or gravel. For inclines ¼″ up to 3″ per foot.

Specification No. 5. (Over non-combustible deck, or over rigid roof insulation) 4 plies of 14 lb. or 4-15 lb. Asphalt saturated rag felt all mopped solid and surfaced with slag or gravel. For inclines ¼″ up to 3″ per foot.

TEST NO. 2. FOUR-PLY PITCH AND SLAG SPECIFICATIONS.

Specification No. 6. Four-ply pitch and felt with (slag or gravel) surface specification over ⅞″ wood sheathing composed of 1 layer of rosin sized-sheathing paper, 2 layers of 14 lb. Tarred saturated rag felts, laid dry, and 2 layers of 14 lb. Tarred saturated rag felts mopped solid over the base felts and surfaced with a top pouring of pitch into which is embedded a surfacing of slag on the basis of 300 lbs. per 100 sq. ft. The brand was consumed in 15 min. 50 sec. with no effect on the combustible deck. (See Photo marked Test No. 2).

Similar roofings of heavier construction are also manufactured as follows:

Specification No. 7. (Over wood deck) four plies 14 lb. or 4-15 lb. Tarred saturated rag felt and coal tar pitch over wood deck with slag or gravel surfacing. For inclines from ¼″ up to 2″ per foot.

Specification No. 8. (Over wood deck) 5 plies 14 lb. or 5-15 lb. Tarred saturated rag felts and coal tar pitch over wood deck with slag or gravel surfacing. For inclines from ¼″ up to 2″ per foot.

Specification No. 10. (Over non-combustible deck, or over rigid roof insulation). Three plies 14 lb. or 3-15 lb. tarred saturated rag felt and pitch over non-combustible deck with slag or gravel surfacing. For inclines from ¼″ up to 2″ per foot.

Specification No. 10. (Over non-combustible deck, or over rigid roof insulation) four plies 14 lb. or 4-15 lb. tarred saturated rag felt and pitch over non-combustible deck with slag or gravel surfacing. For inclines from ¼″ up to 2″ per foot.

TEST NO. 3. 34-lb. CAP SHEET OVER ONE 30-lb. BASE SHEET AND TWO 14-lb. FELTS.

Specification No. 11. Smooth surfaced asphalt specification with Ruberoid 34-lb. black and white cap sheet surfacing composed of 1-30 lb. asphalt saturated rag felt base sheet and 2-14 lb. or 2-15 lb. asphalt saturated felts mopped solid and surfaced with 1-34 lb. Ruberoid black and white cap sheet mopped solid.

The brand was consumed in 24 minutes 52 seconds, with no effect on the bottom layer or the combustible decking. (See Photo marked Test No. 3.)

Specification No. 12. (Over non-combustible decks, or over rigid roof insulation) 3 plies 14 lb. or 3-15 lb. asphalt saturated rag felt all mopped solid with 1-34 lb. Ruberoid Black & White Cap Sheet cemented in asphalt. For inclines ¼″ up to 3″ per foot.

TEST NO. 4. Withdrawn temporarily.

TEST NO. 5. MINERAL SURFACED DUBL-COVERAGE CONSTRUCTION

Specification No. 14. 19″ Selvage Edge Ruberoid Dubl-Coverage Mineral Surfaced Specification over ⅞″ wood sheathing composed of 1 layer of 14 lb. or 15 lb. asphalt saturated rag felt laid dry, over which 2 plies of 55 lbs. Ruberoid Dubl-Coverage Mineral Surfaced Roofing is mopped solid to the dry felts and to each other between the 17″ or 19″ selvage lap.

The brand was consumed in 24 min. 40 sec., consuming the two top plies with no effect on the bottom ply or the combustible decking. (See photo marked Test No. 5).

Similar roofings of heavier construction are manufactured as follows:

Specification No. 16. (Over wood deck) 2 plies 14 lb. or 15 lb. asphalt saturated rag felt laid dry and properly nailed and 2 layers of 55 lb. Ruberoid Dubl-Coverage Mineral Surfaced Roofing mopped solid over the base felts. For inclines from ¼″ up to 9″ per foot.

Specification No. 17. (Over non-combustible deck, or over rigid roof insulation) 1-14 lb. or 15 lb. asphalt saturated rag felt mopped solid to deck and 2 layers of 55 lb. Ruberoid Dubl-Coverage Mineral Surfaced Roofing mopped solid. For inclines from ¼″ up to 9″ per foot.

Specification No. 18. (Over non-combustible deck, or over rigid roof insulation) 2-14 lb. asphalt saturated rag felts mopped solid over deck and 2 plies of 55 lb. Ruberoid Dubl-Coverage Mineral Surfaced Roofing mopped solid over the first 2 layers of felt. For inclines from ¼″ up to 9″ per foot.

TEST NO. 6. 75 LB. MINERAL SURFACED STA-SLATE CAP SHEET OVER 1-30 LB. BASE SHEET AND OVER 1-14 LB. FELT.

Specification No. 19. 1-75 lb. Ruberoid Sta-Slate mineral Surfaced Cap Sheet Specification over ⅞″ wood sheathing, composed of 1-30 lb. asphalt saturated rag felt laid dry and properly nailed and 1-14 lb. or 15 lb. asphalt saturated rag felt mopped solid and 1-75 lb. Ruberoid Sta-Slate Mineral Surfaced Cap Sheet mopped solid.

The brand was consumed in 27 min. 33 sec., consuming all plies with no effect on the combustible deck. (See photo marked Test No. 6).

TEST NO. 7. COMBINATION ASBESTOS AND ASPHALT BUILT-UP ROOF 1-30 LB. ASPHALT BASE FELT AND 2-15 LB. ASBESTOS FELTS.

Specification No. 20. Combination asbestos specification over ⅞″ wood sheathing composed of 1-30 lb. asphalt saturated rag felt laid dry and properly nailed and 2-15 lb. or 2-20 lb. asphalt saturated asbestos felts mopped solid, surface coated with 25 lbs. of asphalt or a cold coating of asphalt using not less than 1 gallon of Ruberoid Asphalt coating per 100 sq. ft.

The brand was consumed in 18 min. 35 sec., consuming the two top asbestos felts with no effect on the bottom ply or the combustible decking. (See photo marked Test No. 7).

Similar materials of heavier construction are manufactured as follows:

Specification No. 21. (Combination) over non-combustible deck. 1-30 lb. asphalt saturated rag felt and 2-15 lb. or 2-20 lb. asphalt saturated asbestos felts mopped solid, surfaced with asphalt or asphaltic compound. For inclines from ¼″ up to 9″ per foot.

Specification No. 23. (Over rigid insulation on either wood deck or non-combustible deck) 2-20 lb. asphalt saturated asbestos felts mopped solid over rigid insulation, surfaced with asphalt or asphaltic compound. For inclines from ¼″ up to 9″ per foot.

Specification No. 24. (Combination) over wood deck. 1-40 lb. asphalt saturated rag felt and 2-20 lb. or 2-15 lb. asphalt saturated asbestos felts mopped solid and surfaced with asphalt or asphaltic compound. For inclines from ¼″ up to 9″ per foot.

Specification No. 25. (Combination) over non-com-

bustible deck. 2-14 lb. or 2-15 lb. asphalt saturated rag felts and 2-15 lb. or 2-20 lb. asphalt saturated asbestos felts mopped solid and surfaced with asphalt or asphaltic compound. Inclines from ¼″ up to 9″ per foot.

Specification No. 26. (Over rigid insulation on either wood deck or non-combustible deck) 3-15 lb. or 3-20 lb. asphalt saturated asbestos felts mopped solid and surfaced with asphalt or asphaltic compound. For inclines from ¼″ up to 9″ per foot.

Specification No. 27. (All Asbestos) over wood deck. 1-60 lb. asphalt saturated and coated asbestos felt and 2-15 lb. or 20 lb. asphalt saturated asbestos felts mopped solid and surfaced with asphalt or asphaltic compound. For inclines from ¼″ up to 9″ per foot.

Specification No. 28. (Combination) over non-combustible deck. 2 layers 14 lb. or 2-15 lb. asphalt saturated rag felt and 3 layers of 15 lb. or 3-20 lb. asphalt saturated asbestos felts, surfaced with asphalt or asphaltic compound. For inclines ¼″ up to 9″ per foot.

Specification No. 29. (All Asbestos) over non-combustible deck. 1-60 lb. asphalt saturated and coated asbestos felt and 2 layers of 15 lb. or 2-20 lb. asphalt saturated asbestos felts, all mopped solid and surface coated with asphalt or asphaltic compound. For inclines ¼″ up to 9″ per foot.

Specification No. 30. (Over insulation) over wood or non-combustible decks. 4 layers 15 lb. or 4-20 lb. asphalt saturated asbestos felts mopped solid and surfaced with asphalt or asphaltic compound. For inclines ¼″ up to 9″ per foot.

TEST NO. 8. Withdrawn temporarily.

TEST NO. 9. REROOFING SPECIFICATION. TWO PLIES ASPHALT FELT AND SLAG OVER PRESENT EXISTING BUILT-UP ROOFS.

Specification No. 37. Asphalt and slag reroofing specification over old existing roof over wood sheathing composed of 2-14 lb. or 2-15 lb. asphalt saturated rag felts mopped solid over one layer of old existing roofing felts with asphalt. Top pouring of asphalt into which is embedded slag on the basis of 300 lbs. per 100 sq. ft. of roof area. For inclines ¼″ up to 3″ per foot.

The brand was consumed in 23 minutes, 42 seconds, consuming top ply with no effect on remaining plies or the combustible deck. (See photo marked "Test No. 9").

TEST NO. 10. REROOFING SPECIFICATIONS. TWO PLY PITCH AND TARRED FELT WITH SLAG SURFACING OVER EXISTING BUILT-UP ROOFING.

Specification No. 38. Pitch and slag reroofing specification over old existing roof over wood sheathing composed of 2 plies of 14 lb. tarred saturated rag felt mopped solid over old roofing felts with pitch. Top pouring of pitch into which is embedded slag on the basis of 300 lbs. per 100 sq. ft. of roof area. For inclines ¼″ up to 2″ per foot.

The brand was consumed in 19 minutes, 20 seconds, with no effect on the roofing. (See photo marked "Test No. 10").

TEST NO. 11. 34 LB. SHEET OVER OLD ROOFING.

Specification No. 39. 34 lb. Ruberoid Black & White Cap Sheet reroofing specification over old existing roofing felts over wood deck. 1-34 lb. Ruberoid Black & White Cap Sheet mopped solid over old roofing felts with asphalt. For inclines from ¼″ up to 3″ per foot.

The brand was consumed in 37 minutes, 37 seconds, consuming all plies and charring the wood deck to a depth of 1/64 of an inch over an area 9 inches by 6 inches. (See photo marked "Test No. 11").

TEST NO. 12. 34 LB. CAP SHEET OVER OLD ROOF SURFACED WITH ASPHALT.

Specification No. 40. 34 lb. Ruberoid Black & White Cap Sheet re-roofing specification with asphalt finish. 1-34 lb. Ruberoid Black & White Cap Sheet mopped over old roofing with asphalt and surface coated with Ruberoid Asphalt, using not less than 25 lbs. per 100 sq. ft. For inclines from ¼″ up to 3″ per foot.

The brand was consumed in 22 minutes, 23 seconds, consuming the cap sheet and old roofing felt with only a slight charring effect on the combustible deck. (See photo marked "Test No. 12").

TEST NO. 13. DUBL - COVERAGE MINERAL SURFACED OVER OLD ROOFING. REROOFING SPECIFICATION.

Specification No. 41. 19″ Ruberoid Dubl-Coverage Mineral Surfaced re-roofing specification over old existing roofing over wood deck, composed of 2 layers of Ruberoid Dubl-Coverage Mineral Surfaced Roofing 55 lb. per square per layer, mopped solid over old felts and cemented between laps with asphalt. For inclines from ¼″ up to 9″ per foot.

The brand was consumed in 16 min. 36 sec., consuming one ply (half double coverage) with no effect on old roofing felt or combustible decking. (See photo marked "Test No. 13").

TEST NO 14. 75 LB. STA-SLATE MINERAL SURFACED ROOFING OVER EXISTING ROOFING. RE-ROOFING SPECIFICATIONS.

Specification No. 42. 75 lb. Sta-Slate Mineral Surfaced re-roofing specification over old existing roofing over wood deck, composed of 1-14 lb. or 15-lb. asphalt saturated rag felt mopped solid over old base felt and 1-75 lb. Sta-Slate Mineral Surfaced Roofing. For inclines up to 3″ per foot.

The brand was consumed in 19 min. 23 sec., consuming the mineral surfaced roofing and the 14 lb. asphalt felt with no effect on the old roofing or combustible deck. (See photo marked "Test No. 14").

TEST NO. 15. ASBESTOS RE-ROOFING SPECIFICATION.

Specification No. 43. Asbestos re-roofing specification over old existing roofing felts over wood deck. 2-15 lb. or 2-20-lb. asphalt saturated asbestos felts mopped solid over old felts and coated with a hot mopping of asphalt or asphaltic compound. For inclines from ¼″ up to 6″ per foot.

The brand was consumed in 17 min. 20 sec., slightly charring the top ply with no effect on the remaining ply, roofing felt, or combustible deck. (See photo marked "Test No. 15").

RUBEROID SHINGLES

TEST NO. 16. 11-1/3 INCH BY 36 INCH HEXAGONAL SHINGLES.

Ruberoid 11-1/3″ Hexagonal Shingles applied over ⅞″ wood sheathing on an incline of 4″ per foot or more.

The brand was consumed in 19 min. 45 sec., consuming top ply and slightly charring the combustible deck.

Similar materials of heavier construction or greater coverage and of other design or shape are manufactured as follows:

11-1/3″ x 36″ Hexagonal Strip Shingles

Provides 2 layer construction over 76% of roof area
Average weight per square.............. 167 lbs.
Strips per square.......................... 86
Underwriters' Label "C"

12-1/3″ x 36″ Hexagonal Strip Shingles

Provides 2 layer construction over 89% of roof area
Average weight per square................ 186 lbs.
Strips per square.......................... 86
Underwriters' Label "C"

12″ x 36″ Hexagonal Strip Shingles
Provides double coverage over entire roof area
Average weight per square................ 215 lbs.
Strips per square......................... 100
Underwriters' Label "C"

13⅛″ x 36″ Hexagonal Strip Shingles
Provides 2 layer construction over 85% of roof area
Average weight per square................ 217 lbs.
Strips per square......................... 76
Underwriters' Label "C"

TEST NO. 17. 10 INCH BY 36 INCH SQUARE—TABS.

Ruberoid 10″ x 36″ Square-Tabs over ⅞″ wood sheathing. Incline 4″ per foot or more.

The brand was consumed in 18 minutes, consuming the top ply with no effect on the bottom ply or the combustible deck. (See photo marked "Test No. 17").

TEST NO. 17A. 11 INCH BY 33½ INCH OCTABS.

Ruberoid Octabs 11″ x 33½″ Mineral Surfaced Strip Shingles over ⅞″ wood sheathing. Incline 4″ per foot or more.

The brand was consumed in 19 min. 42 sec., consuming top ply with no effect on bottom ply and no charring effect on the combustible deck. (See photo marked "Test No. 17A").

Similar materials of heavier construction or greater coverage and of other design or shape are manufactured as follows:

12″ x 36″ Ruberoid Thick Butt Square-Tabs
Provides 2 layer construction over entire roof area, except when cut-out occurs.
Average weight per square................ 210 lbs.
Strips per square......................... 80
Underwriters' Label "C"

12″ x 36″ Ruberoid Massive Square-Tabs
Provides 2 layer construction over entire roof area
Average weight per square................ 257 lbs.
Strips per square......................... 80
Underwriters' Label "C"

10″ x 36″ Ruberoid Square-Tabs
Provides 2 layer construction over entire roof area.
Average weight per square................ 210 lbs.
Strips per square......................... 100

12½″ x 36″ Square-Tabs
Provides 3 layer construction over entire roof area.
Average weight per square................ 266 lbs.
Strips per square......................... 100
Underwriters' Label "C"

12″ x 36″ Ruberoid Supertab Square-Tabs
Provides 2 layer construction over entire roof area.
Average weight per square................ 230 lbs.
Strips per square......................... 80
Underwriters' Label "C"

11″ x 33½″ Ruberoid Octabs
Provides 2 layer construction over entire roof area.
Average weight per sqaure................ 195 lbs.
Strips per square......................... 108
Underwriters' Label "C"

9″ x 12¾″ Ruberoid Standard Units
4″ weather exposure, provides 3 layer construction over entire roof area.
Average weight per square................ 253 lbs.
Shingles per square....................... 380
Underwriters' Label "C"

12″ x 16″ Ruberoid Massive Units
5″ weather exposure, provides 3 layer construction over entire roof area.
Average weight per square................ 325 lbs.
Shingles per square....................... 226
Underwriters' Label "C"

TEST NO. 18. 16″ x 16″ IMPROVED REROOFERS (with 1 layer of 15 lb. asphalt saturated rag felt).

Ruberoid Improved Reroofers 16″ x 16″ Mineral Surfaced Shingles applied over ⅞″ wood sheathing, with 1 layer 15 lb. asphalt saturated rag felt and Improved Reroofers 16″ x 16″. Incline 4″ per foot or more.

The brand was consumed in 20 minutes, 55 seconds, consuming all plies but with no charring effect in the combustible deck.

Similar materials of heavier construction or greater coverage and of other design or shape are manufactured as follows:

16″ x 16″ Ruberoid Improved Reroofers
Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 130 lbs.
Shingles per square....................... 79
Underwriters' Label "C"

16″ x 19¼″ Ruberoid Giant Tee-Loks
Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 224 lbs.
Shingles per square....................... 144
Underwriters' Label "C"

18½″ x 20″ Ruberoid Tite-Ons
Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 160 lbs.
Shingles per sqnare....................... 96
Underwriters' Label "C"

13″ x 15⅝″ Ruberoid Side-Locks
Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 142 lbs.
Shingles per square....................... 105
Underwriters' Label "C"

18″ x 13¼″ Ruberoid Dutchloks
Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 148 lbs.
Shingles per square....................... 104
Underwriters' Label "C"

12″ x 16″ Ruberoid Dutch Laps
Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 162 lbs.
Shingles per square....................... 112
Underwriters' Label "C"

16″ x 16″ Ruberoid Clipfast Hexagonal Re-Roofer
Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 138 lbs.
Shingles per square....................... 82
Underwriters' Label "C"

30″ x 36″ Ruberoid Lock-Down Hex Strips.
Provides 2 layer construction 50% of roof area and 1 layer construction remainder of roof area.
Average weight per square................ 180 lbs.
Strips per square......................... 50
Underwriters' Label "C"

TEST No. 19 16-INCH BY 16-INCH HEXAGONAL RIGID ASBESTOS SHINGLES

Ruberoid 16″ x 16″ Hexagonal Rigid Asbestos Shingles applied over ⅞″ wood sheathing and provided with 6-lbs. Slaters' Felt between the board sheathing and Rigid Asbestos Shingles for new work. Where this material is applied over old roofs, the protection felt is not required. Inclines 4″ per foot or more.

The brand was consumed in 22 min. 10 sec., cracking the asbestos shingles through the centre. Heat penetrating through consumed the 6-lb. Slaters' felt and charred the combustible deck slightly over an area of four square inches. Other rigid asbestos shingles are also manufactured similar to the tested specimen but differing in design or shape with the specifications as follows:

16″ x 16″ Ruberoid Hexagonal Rigid Asbestos Shingles.

Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 265 lbs.
Shingles per square........................ 86
Underwriters Label "B"

16" x 16" *Ruberoid Dutch Lap Timbertex Asbestos Shingles.*

Provides 1 layer construction with 2 layer construction at all laps.
Average weight per square................ 280 lbs.
Shingles per square........................ 92
Underwriters Label "B"

8" x 16" *Ruberoid Tapered Timbertex Rigid Asbestos Shingles.*

Provides 2 layer construction over entire roof area.
Average weight per square............... 525 lbs.
Shingles per square........................ 260
Underwriters' Label "A"

12" x 16" *Ruberoid Tapered Gothic Rigid Asbestos Shingles.*

Provides 2 layer construction over entire roof area.
Average weight per square............... 525 lbs.
Shingles per square........................ 171
Underwriters' Label "A"

As a result of these tests the Committee recommends approval under C26-680 A.C. (10.12.11.1 BC) and Group 16, Art. 2 A.C. Titled "Fire Resistive Construction" (10.1.16 B.C.) of the Ruberoid roofings as listed herein under the following conditions. *Slag or Gravel Surfaced Roofing*—Wherever these roofings are applied they shall be protected with three (3) pounds of Slag or four (4) pounds of graded gravel (screened ¼ to ⅝) per square foot of roofing and imbedded in a pouring of asphalt or tar. Where promenades are provided over these roofings, they shall be protected by either quarried slate or ceramic tile, not less than 6" x 6" x ¼" firmly imbedded in asphalt, tar or Portland cement mortar, which construction may be used in lieu of slag or gravel surfacing.

SHINGLES

Approval is recommended on all classes of shingles listed herein, except that Test No. 18, 16" x 16" IMPROVED REROOFERS may be used on new roofs, provided that at least one ply of 14-lb. saturated asphalt rag felt is used as a base course. In all cases, however, the use of the shingles is limited to roofing or reroofing of *frame* residential construction.

GENERAL

Approval of all these roofings is recommended on condition that the weight, thickness and plies of material *shall not be less* for any group than that specified for the specimen tested.

Nothing herein contained shall preclude the use of additional plies of saturated rag felt, provided that the total weight of the plies used shall be *more* than that approved for any specification tested herein. These roofings may be applied to either combustible or noncombustible decks.

It is also recommended that this roofing material when used in New York City shall have each package or roll clearly marked or labelled "Approved for use in New York City by the Board of Standards and Appeals, when installed in accordance with these specifications under Cal. No. 733-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

'hereas, a further report of the committee on tests ive to additional Ruberoid roofing reads:

Re: Cal. No. 733-38-SM
Subject: Additional Ruberoid Company Roofing Materials.

REPORT OF COMMITTEE ON TESTS

The Ruberoid Company of New York City filed with the Board a request for the reopening of the case bearing this calendar number on October 14, 1938, for the purpose of testing additional roofing material including tests No. 4 and No. 8 previously withdrawn, for approval under the pertinent sections of the Building code. Tests on these roofs as specifically described herein were performed on November 3, 1938 with details as follows:

TEST NO. 4.

Specification No. 13. Smooth surfaced asphalt specification with Ruberoid 34 lb. Black & White Cap Sheet, surfacing with an additional application of a top coating of 25# of asphalt. This decking consists of 1-30 lb. asphalt saturated rag felt base sheet and 2-12 lb. asphalt saturated rag felts mopped solid to the base felt and then surfaced with 1-34 lb. Black & White Cap Sheet mopped solid and then over the cap sheet coat the entire surface with Ruberoid Asphalt using not less than 25 lbs. per 100 sq. ft.

The brand was consumed in 20 min. consuming the Black & White Cap Sheet and cracking through the 2-12 lb. asphalt felts but with no effect on the 30 lb. asphalt base felt or wood deck. (See Photo marked Test No. 4). With this type of roofing however, felts in roll roofings named Wigwam, Starex or Genuine Ruberoid are also manufactured.

TEST NO. 8.

Specification No. 31. Smooth surfaced asphalt specification over ⅞" wood sheathing, composed of 1-30 lb. asphalt saturated rag felt laid dry and properly nailed and 2-12 lb. asphalt saturated ragfelts mopped solid and surface coated with 25 lbs. Ruberoid Asphalt per 100 sq. ft.

The brand was consumed in 18 min. consuming the two 12 lb. asphalt felts with no effect on the 30 lb. asphalt base felt or wood deck. (See photo marked Test No. 8).

Similar materials of heavier construction are manufactured as follows:

Specification No. 32. (Over non-combustible decks, or over rigid roof insulation.) 3-12 lb. asphalt saturated rag felts mopped solid over non-combustible deck, surfaced with 25 lbs. or Ruberoid Asphalt per 100 sq. ft. For inclines ¼" up to 3" per foot. If definite nailing can be provided, up to inclines of 6" per foot.

Specification No. 33. (Over wood deck.) 1-30 lb. asphalt saturated rag felt and 3-12 lb. asphalt saturated rag felts mopped solid with a 25 lb. surface coating of Ruberoid Asphalt per 100 sq. ft. for inclines ¼" up to 6" per foot.

Specification No. 34. (Over non-combustible decks, or over rigid roof insulation.) 4-12 lb. asphalt saturated rag felts all mopped solid and surface coated with 25 lbs. of Ruberoid Asphalt per 100 sq. ft. For inclines from ¼" up to 3" per foot. If definite nailing can be provided, up to inclines of 6" per foot.

Specification No. 35. (Over wood deck.) 1-30 lb. asphalt saturated rag felt and 4-12 lb. asphalt saturated rag felts all mopped solid and surface coated with 25 lbs. of Ruberoid Asphalt per 100 sq. ft. For inclines ¼" up to 6" per foot.

Specification No. 36. (Over non-combustible deck, or over rigid roof insulation.) 5-12 lbs. asphalt saturated rag felts all mopped solid over non-combustible deck and surface coated with 25 lbs. of Ruberoid Asphalt per 100 sq. ft. For inclines from ¼" up to 3" per foot and if definite nailing can be provided, up to inclines of 6" per foot.

Note: For added protection requirement see committee's recommendation.

TEST NO. 20.

Specification No. 44. 3 ply asphalt and slag specification over 7/8" wood sheathing composed of 1-30 lb. asphalt saturated rag felt and 2-12 lb. asphalt saturated rag felts mopped solid over the base felt and surfaced with a top pouring of asphalt into which is embedded a surfacing of slag on the basis of 300 lbs. per 100 sq. ft. of roof area. For inclines 1/4" up to 3" per foot.

The brand was consumed in 18 minutes consuming the top ply of 12 lb. asphalt felt with no effect on the remaining ply of 12 lb. asphalt felt or the 30 lb. asphalt base felt or the wood decking. (See photo marked Test No. 20.)

Similar materials of heavier construction are manufactured as follows:

Specification No. 45. (Over wood deck.) 4 ply asphalt and slag or gravel using 1-30 lb. asphalt saturated rag base felt with 3-12 lb. asphalt saturated rag felts mopped solid and surfaced with slag or gravel, with the alternative that in place of the 30 lb. asphalt, 2 layers of 18 lb. felt may be used as the base felt. For inclines from 1/4" up to 3" per foot.

Specification No. 46. (Over non-combustible deck, or over rigid roof insulation.) 3 plies of 12 lb. asphalt saturated rag felt all mopped solid and surfaced with slag or gravel. For inclines 1/4" up to 3" per foot.

Specification No. 47. (Over non-combustible deck, or over rigid roof insulation.) 4 plies of 12 lb. asphalt saturated rag felt all mopped solid and surfaced with slag or gravel. For inclines 1/4" up to 3" per foot.

TEST NO. 21.

Specification No. 48. (Over wood deck.) 4 ply pitch and felt with *slag or gravel surface* specification over 7/8" wood sheathing composed of 1 layer of Red Rosin sized sheathing paper, 2 layers 12 lb. tarred saturated rag felt laid dry and 2 layers 12 lb. tarred saturated rag felt mopped solid over the base felts and surfaced with a top pouring of pitch into which is embedded a surfacing of slag on the basis of 300 lbs. per 100 sq. ft. or gravel on the basis of 400 lbs. per 100 sq. ft. For inclines 1/4" up to 2" per foot.

The brand was consumed in 18 min. consuming the top ply of 12 lb. tarred felt with no effect on the 3 remaining plies of tarred felt or the wood deck. (See photo marked Test No. 21.)

Similar materials of heavier construction are manufactured as follows:

Specification No. 49. (Over wood deck.) 5 plies 12 lb. tarred saturated rag felt and coal tar pitch over wood deck with slag or gravel surfacing for inclines 1/4" up to 2" per foot.

Specification No. 50. (Over non-combustible deck, or over rigid roof insulation.) 3 plies 12 lb. tarred saturated rag felt and pitch over non-combustible deck with slag or gravel surfacing. For inclines 1/4" up to 2" per foot.

Specification No. 51. (Over non-combustible deck, or over rigid roof insulation) 4 ply 12 lb. tarred saturated rag felt and pitch over non-combustible deck with slag or gravel surfacing. For inclines 1/4" up to 2" per foot.

RE-ROOFING

TEST NO. 22.

Specification No. 52. Asphalt and slag or gravel re-roofing specification over old existing roof over wood sheathing, composed of 2-12 lb. asphalt saturated rag felts mopped solid over 1 layer of old existing roofing felts with asphalt. Top pouring of asphalt into which is embedded slag on the basis of 300 lbs. per 100 sq. ft. or gravel on the basis of 400 lbs. per 100 sq. ft. of roof area. For inclines 1/4" up to 3" per foot.

The brand was consumed in 18 min. 15 seconds consuming no plies and with no effect on the wood decking. (See photo marked Test No. 22.)

TEST NO. 23.

Specification No. 53. Pitch and slag or gravel re-roofing specification over old existing roof over wood sheathing, composed of 2 plies of 12 lb. tarred saturated rag felt mopped solid over old roofing felts with pitch. Top pouring of pitch into which is embedded slag on the basis of 300 lbs. per 100 sq. ft. or gravel on the basis of 400 lbs. per 100 sq. ft. For inclines 1/4" up to 2" per foot.

The brand was consumed in 15 minutes partially consuming the top ply with no effect on the remaining plies of 12 lb. tarred felt or the old existing roofing material. (See photo marked Test No. 23).

NEW ROOFING OR RE-ROOFING

TEST NO. 24.

Specification No. 54. 4 ply pitch and tarred saturated asbestos felt with slag or gravel surfacing specification over 7/8" wood sheathing, composed of 1 layer of Red Rosin sized Sheathing Paper, and 2 layers 14 lb. tarred saturated asbestos felts laid dry and 2 layers 14 lb. tarred saturated asbestos felts mopped solid over the base felts and surfaced with a top coating of pitch into which is embedded a surfacing of slag on the basis of 300 lbs. per 100 sq. ft. or gravel on the basis of 400 lbs. per 100 sq. ft. For inclines 1/4" up to 2" per foot.

The brand was consumed in 15 min. with no effect on any of the plies in the wood decking (see photo marked Test No. 24).

Similar materials of heavier construction are manufactured as follows:

Specification No. 55. (Over wood deck) 3 ply 14 lb. tarred saturated asbestos felt and pitch over wood deck with slag or gravel surfacing. For inclines 1/4" up to 2" per foot.

Specification No. 56. (Over non-combustible deck, or over rigid roof insulation) 3 ply 14 lb. tarred saturated asbestos felt and pitch over non-combustible deck with slag or gravel. For inclines 1/4" up to 2" per foot.

Specification No. 57. (Over non-combustible deck, or over rigid roof insulation) 4 ply 14 lb. tarred saturated asbestos felt and pitch over non-combustible deck with slag or gravel. For inclines 1/4" up to 2" per foot.

This roofing material as specified in reports is furnished in rolls as follows:

ROLLS OF ASPHALT SATURATED RAG FELT

Asphalt Saturated Rag Felt	Area per Roll	Approximate Weight per Roll	Actual weight per roll (Average of 5 specimens)
12	432	52	51
14	432	60	60.75
15	432	65	64
24	216	52	53
30	216	65	66

ROLLS OF TARRED SATURATED RAG FELT

Tarred Saturated Rag Felt	Area per Roll	Approximate Weight	Actual weight per roll (Average of 5 specimens)
12	432	52	50.5
14	432	60	61.0
15	432	65	64.5

ROLLS OF MINERAL SURFACED ROOFING

Material	Area per Roll	Approximate Weight per Roll	Actual weight per roll (Average of 5 specimens)
Mineralized Heavy	108	90	90.75
Sta Slate.....	108	75	75.4
Dubl-Coverage.	108	55	58.4

ROLLS OF ASPHALT SATURATED RAG FELT CAP SHEET

Material	Area per Roll	Approximate Weight per Roll	Actual weight per roll (Average of 5 specimens)
Genuine Ruberoid	216	68	69
Black and White.	216	68	69.4

ROLLS OF ASPHALT SATURATED ASBESTOS FELTS

Material	Area per Roll	Approximate Weight per Roll	Actual weight per roll (Average of 5 specimens)
No. 60 Asbestos base felt	108	55	58.4
15 lb. Asbestos felt	324	45	46
20 lb. Asbestos felt	324	60	66

ROLLS OF TAR SATURATED ASBESTOS FELT

Material	Area per Roll	Approximate Weight per Roll	Actual weight per roll (Average of 5 specimens)
15 lb. Asbestos felt	324	45	46

On the basis of these tests the committee recommends the approval of the Ruberoid Roofings as contained herein under the provisions of the Administrative Code as specified in the original report and under the conditions set forth therein. On tests No. 4 and No. 8 all the roofing specifications listed thereunder, the committee recommends the substitution of 14 lb. saturated asphalt rag felt in lieu of the 12 lb. saturated asphalt rag felt tested and specified therein.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does ereby *approve* the material known as Ruberoid Built-up Roofing, Asphalt Shingles and Asbestos Shingles, when manufactured, installed and labelled in accordance with the above reports.

20-38-SM.

PPLICANT—George F. Erath, for Pittsburgh Corning Corporation, owner.

UBJECT—Approval of P. C. Glass Blocks manufactured by Pittsburgh Corning Corporation.

PPEARANCES—

For Applicant: Marvin H. Clapp.

CTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

HE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

HE RESOLUTION—

(820-38-SM)

WHEREAS, George F. Erath, New York Manager of tsburgh Corning Corporation, owner filed September 1938, an application with the Board of Standards and peals for approval of the material known as the P. C. ss Blocks, manufactured by the Pittsburgh Corning rporation; and

WHEREAS the material was submitted to the committee Tests for test and report; and

WHEREAS the report of the committee on tests was as follows:

REPORT OF COMMITTEE ON TESTS

RE: Cal. No. 820-38-SM November 16, 1938
P C Glass Blocks

The Pittsburgh Corning Corp., filed on September 26, 1938 an application with the Board of Standards and Appeals for the approval of P C Glass Blocks which are manufactured at the applicant's plant at Port Allegany, Pa. under C 26-191-0 A.C. (2.2.3 BC)

This is a hollow partially evacuated glass block consisting of two halves made of water clear pressed glass sealed when made. Sealing is accomplished by pressing the two halves together while the edges are still plastic, thus providing complete fusion between the joined surfaces. The blocks are then annealed by subjecting them to a lengthy application of heat and then to a process of controlled cooling. After cooling and air drying, a resinous substance and silica is applied by brush and roller coating. The resinous material provides bond between the mortar and the glass block and is a moisture and alkaline resisting material; the sand providing initial grip of the mortar to the glass block.

The glass blocks are manufactured and distributed commercially as follows:

Rectangular Blocks

Size	*Patterns*			
5¾" x 5¾" x 3⅞"	Argus	Decora	Saxon	
7¾" x 7¾" x 3⅞"	Argus	Decora	Saxon	Baltic
11¾" x 11¾" x 3⅞"	Argus	Decora	Saxon	Baltic

Corner Blocks (Light Transmitting)

Size	*Patterns*	
5¾" x 3⅞" x 4-11/16" o.r.	Argus	Decora
7¾" x 3⅞" x 6⅛" o.r.	Argus	Decora

Bullnose Block

Size	*Patterns*	
5¾" x 3⅞" x 3⅞"	Argus	Decora
7¾" x 3⅞" x 3⅞"	Augus	Decora

Radial Block

Size	*Patterns*	
7¾" x 8½" x 3⅞"	Argus	Decora

Tests were conducted at the Pittsburgh Testing Laboratories, Pittsburgh, Pa. in May 1938, covering wind pressure, modulus of rupture bond, tension bond and shear bond. Also a test was conducted at the University of Minnesota on the heat transmission of glass blocks. The manufacturer has conducted tests on heat and light transmission of glass blocks, (pages 7 and 11 of their bulletin "Test Data"). A compression test on the individual glass block was conducted at the laboratory of Carnegie Institute of Technology by Prof. J. M. Daniels. Copies of this test reports are filed with this application.

The 5¾" x 5¾" x 3⅞" Argus pattern was subjected to fire (in accordance with the time temperature curve of the Code) and hose stream tests at the Underwriters Laboratories June 1938 and a copy of this test report is a part of this record. Each of these Argus blocks are identified by a [P. C.] on the inside of the block with letters placed at a diagonal, enclosed in a square.

On the basis of these tests, it is recommended that P C Glass Blocks as manufactured by the Pittsburgh Corning Corp. of Pittsburgh, Pa., be approved for use in New York City under the following conditions.

These glass blocks are to be laid up in a mortar of one part Portland Cement, 1 part lime (hydrated lime or lime putty) and 4 to 6 parts of clean graded sand by volume, joints to be of the shoved type and not less than ¼" in thickness, on the exposed face, and completely filled with unfurrowed mortar and provided with bond ties, called wall ties by the applicant, as follows:

In buildings not over four stories in height
5¾ x 5¾ x 3⅞ size every fourth course (24")
7¾ x 7¾ x 3⅞ size every third course (24")
11¾ x 11¾ x 3⅞ size every course (12")

In buildings over four stories in height
5¾ x 5¾ x 3⅞ size every second course (12″)
7¾ x 7¾ x 3⅞ size every second course (16″)
11¾ x 11¾ x 3⅞ size every course (12″)

Where these blocks are used above the ninth story in interior panels exceeding 60 sq. feet in area, every size of P C Glass Blocks, wherever used, shall be provided with bond ties in every course.

The bond ties used are known as P C wall ties and consist of two parallel galvanized steel wires, not less than 16 gauge, spaced approximately 2 inches C-C and having welded thereto crosswires at intervals not exceeding 8 inches, or flat expanded metal mesh of material not less than 20 gauge by 2⅜″ in width, and galvanized after forming. Both types shall not be less than 8 feet in length (in panels where full length bond ties can be used) and lapped not less than 6 inches.

Where the blocks are used in panels on interior lot line walls and over adjoining roofs all blocks in such panels regardless of the height of building shall be provided with bond ties in every horizontal course.

Panels not exceeding 80 sq. feet in area unless set in chases shall be anchored to adjoining masonry at the jambs by 20 gauge metal ties 1¾″ x 24″ galvanized after forming, and laid in horizontal block joints and extended 12″ into the masonry located as frequently as bond ties. They are to be crimped or bent to allow for expansion.

Panels between structural supports or vertical or horizontal angle supports shall not exceed 144 square feet in area or be over 20 feet in height or width.

Panels greater than 80 square feet in area shall be anchored by setting in chases formed by masonry concrete, wood or metal shapes, at the jambs and at intermediate stiffeners designed so as to provide level support and clearance for expansion.

Expansion joints shall be provided at jambs and heads of all glass block panels. In a continuous series of panels the intervals shall not exceed 20 feet. Such expansion joints may be packed with premoulded cork, oakum, fibre glass or similar resilient material and pointed on both sides with not less than ½″ of non-hardening waterproof caulking material. The depth of expansion joints shall not be less than ½″ and they shall be kept free of mortar.

FIRE DEPARTMENT ACCESS PANELS

Above the first or ground floor in every story of a building fire department access panels shall be provided in every frontage and not less than 50 ft. on centers horizontally. These access panels shall be at least 32″ wide and shall have a minimum height of 48″ and shall be constructed of steel sash which may be movable or fixed and when movable it shall be hinged on the side, shall open out and shall be openable from the exterior and in addition, may be openable from the interior.

P C Glass Blocks may be used for non-bearing interior partitions where there are no requirements for fire walls or fire partitions. When so used they shall be laid up in mortar suitable for interior work.

These glass blocks may also be used as veneer or ashlar when properly supported independently of the masonry on shelf angles and at least ½″ away from any masonry backing and properly anchored with 20 gauge galvanized anchors to such masonry backing spaced not more than 18″ apart.

This material may also be used for bulkheads for show windows and decorative interiors when properly supported, but shall not be substituted for required fireproof or fire resistive materials.

The Argus pattern 5¾″ x 5¾″ x 3⅞″ size glass block panels may be used for lot line openings in multiple dwellings and under C-26-610.0 A.C. (10.1.18 BC) as meeting the requirements for a protected window opening having a rating of ¾ hour as approved by the Underwriters Laboratories (File R 2556), Chicago, Ill. This particular block may also be used as herein provided as a panel in an exterior wall of a building used for factory purposes, in openings wherever such openings would be required under the Labor Law to be protected with fireproof windows. When installed in factory buildings over four stories in height, the panel size shall be limited to 4 ft. 2 in. by 6 ft. 1½ in. and subdivided by metal muntins into sub-panels not exceeding 720 square inches.

It is also recommended that the cartons containing this material when shipped for use in New York City shall be marked, labelled or tagged, "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 820-38-SM."

(Sgd.) BERNARD A. SAVAGE,
CHARLES M. BLUM,
LESLIE V. HUBER,
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the P C Glass Blocks, manufactured by the Pittsburgh Corning Corporation, *on condition* that the Glass Blocks be manufactured, installed and labeled in accordance with the above report.

Adjourned, 5:45 P. M.

EDWARD V. BARTON, Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, July 12, 1938, as they appeared in Bulletin No. 29, Vol. 23, are hereby corrected to read as follows:

167-38-SA.
APPLICANT—Sloan Valve Company, owner.
SUBJECT—Sloan Vacuum Breaker, Model V-60-A (Plumbing Device), approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the Board.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

* Correction—The name "J. L. Murphy" deleted in line 6 of digest and the word "None" inserted therefor.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, July 12, 1938, as they appeared in Bulletin No. 29, Vol. 23, are hereby corrected to read as follows:

174-38-SA.
APPLICANT—L. R. Bauer, for Crane Company, owner.
SUBJECT—Novac Flush Valve — Vacuum Breaker (Plumbing Device), approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appliance approved in accordance with the report of the engineer of the Board.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

* Correction—The name "J. L. Murphy" deleted in line 6 of digest and the word "None" inserted therefor.

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, June 14, 1938, as they appeared in Bulletin No. 25, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(438-38-SA)

WHEREAS, the Keystone Oil Burner Company, owner, filed June 2, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Keystone Oil Burner, Models LP and WP; and

WHEREAS, the device was submitted to the engineer of the board for test and report; and

WHEREAS, this device was inspected and tested by the engineer of the board, with representatives of the Division of Combustibles of the Fire Department; and

WHEREAS, the report of the engineer of the board supplemented by that of the Division of Combustibles of the Fire Department was substantially as follows:

This oil burner comes in two (2) models, LP and WP—one having a pump mounted directly on the burner and the other model using an approved type pump set located at some distance from the burner itself. The burner is of the horizontal, rotary type, mounted on a cast iron plate with hinges for the purpose of swinging the burner to either open or closed position.

The burner consists of the following assembly: A Westinghouse 1 H. P. motor; a horizontal spinning cup; a centrifugal type fan; a Keystone pump; a manually operated oil valve and a Wells Electric preheater.

Controls: The controls consist of Minneapolis Honeywell vaporstat, which, in case of fan-failure, shuts off the supply of oil; a reversed aquastat in the preheater for controlling the temperature of the oil in same; either an Asco or General Control electric oil valve with Minneapolis Honeywell magnetic gas valve; Minneapolis Honeywell pyrostat, pressuretrol and relay R157.

Ignition: Dual—gas and electric. The oil is passed from the pump through the electric preheater, which is set at a temperature of 120° F. When this temperature is reached the electric oil valve is opened and permits the oil then to flow to the spinning cup, where the air is mixed with it and the oil is atomized.

The burner was tested and it was found that the controls functioned and shut the burner down in 30 and 32 seconds respectively, when the oil supply had been shut off. The burner was then put into normal operation and during the period of the tests there were no puff backs due to faulty ignition and an examination of the combustion chamber showed same to be free of carbon deposits.

These burners are designed for use of No. 6 oil when same is preheated or for lighter oils when the oil is not preheated.

As a result of this inspection and test it is therefore recommended that the Keystone Oil Burner, Models LP and WP be approved for commercial and industrial installations, when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, to be used with fuel oil not heavier than No. 5 cold and with fuel oil not heavier than No. 6 preheated.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Keystone Oil Burner, Models LP and WP, for use in industrial and commercial installations with fuel oil not heavier than No. U. S. Dept. of Commerce standards, cold, and with No. U. S. Dept. of Commerce standards, preheated, when installed and operated in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report, *on condition* that the device shall bear a label permanently affixed thereto, reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 438-38-SA.

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*Correction—The word "baystone" changed to "Keystone" in line 23 of resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, October 25, 1938, as they appeared in Bulletin No. 44, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(786-38-A)

WHEREAS, Arnold W. Lederer, for Morris Shenker, owner, filed September 12, 1938, an appeal from a decision of the Acting Borough Superintendent of Buildings affecting premises 1062 (1058 displayed) 55th street, south side, 184 ft. 8 in. west of 11th avenue (Block No. 5681, Lot No. 26), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent of Buildings on Alteration Application No. 11363-1938, dated August 16, 1938, reads: (M.D.L.)

"1. Provide regulation fire escape as per Sec. 145 as originally approved.

2. Partitions in cellar to be fire retarded as originally approved.

3. Comply with Sec. 178 as to skylight over public stair hall.
8/16/38 (Const.)

1. Cellar partitions to be fireproof as per office Rule #24.

2. See also M. D. Law obj. above."

and

WHEREAS, the building is 2 stories (30 ft.) in height, 29 ft. 4 in. by 60 ft. in area, of non-fireproof construction—located in a residence use district, erected in 1923 and occupied as follows: Cellar, boiler room, storage and recreation room, no persons; 1st floor, 1 family dwelling; 2nd floor, same; It is proposed to increase the occupancy of the 2nd floor to two families; and

WHEREAS, the applicant contents as to Objection No. 1, Section 187 of the Multiple Dwelling Law reads: "That in every dwelling not exceeding two stories in height a single means of egress from first floor shall be permitted," that section 187 requires a skylight to roof, but section 188 states: "that where the pitch of roof exceeds 20 degrees, no scuttle is required, but that if no scuttle can be provided, the two means of egress must be provided," section 187, subdivision 2 states, "where the two means of egress is required," that no two means of egress is required in this building under subdivision 1 of 187, since the building is only two stories in height. As to Objection No. 2, Construction objection No. 1, the Building Code does not require fireproof partitions in a building of this character. The partitions are existing and no changes in same are proposed. As to Objection No. 3, section 178 states, "in every converted dwelling where the stair and public hall are not provided with windows on each floor, there shall be provided a skylight." This building has a window on top floor facing side yard. Installation of a skylight and its attendant shaft constitute a hardship to the applicant; and

WHEREAS, a committee of the board reported on these premises, the report reading as follows:

MINUTES

REPORT OF COMMITTEE OF INSPECTION

October 17, 1938.

Re: Cal. No. 786-38-A
Premises 1062—55th st., s.s.,
184 ft. 8 in. west of 11th ave.,
(Block No. 5681, Lot No. 26),
Borough of Brooklyn.

In this application for an interpretation of the decision of the Superintendent of Buildings of Brooklyn, acting upon Alteration 11363 of 1938, three questions are presented:

1. The building in question is a two-story and cellar non-fireproof residence building, now occupied by one family on each floor or two in all. It is proposed to alter the building to a hereafter converted dwelling for three families—one on the first floor and two on the second floor—under the provisions of Article VI of the Multiple Dwelling Law. The Superintendent has ruled that a fire-escape is required as a second means of exit. It is understood that the existing stairs to street will be made to comply with the requirements of section 178.

Section 187 clearly states "In every dwelling *not exceeding two stories in height, a single* means of egress from each floor to the street shall be permitted". Nothing thereafter in this section contradicts this. The ruling of the Superintendent in requiring a second means of exit is incorrect and should be reversed.

2. The examiner under the building code and the examiner under the Multiple Dwelling Law have both required that partitions in cellar shall be fire-retarded. Under the Multiple Dwelling Law there is no such requirements other than in section 190 as to enclosing cellar stairs. In the present building code there is no requirement that existing partitions other than around stairs are to be fire retarded.

The decision of the department appears to be based on what is referred to in the objection given a "Office Rule #24." It is explained by the Department's representative that this rule was being enforced because the old code required fire retarded partitions and the new code does not. As there is no requirement in the present Building code or Multiple Dwelling Law to justify this objection, the decision of the Superintendent should be reversed.

3. Upon the adoption of the present building code and the present New York City Charter, all rules that may have been adopted by the Building Department to supplement the previous Building Code became superseded by the new building code and are of no effect if inconsistent therewith.

Any rules that are necessary to supplement the existing building code may be adopted solely by the Board of Standards and Appeals under the provisions of the Charter and the Building Code (2.2.1.1) 26-189.0 which is in harmony therewith.

(Sgd.) HARRIS H. MURDOCK,
Chairman
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee

Resolved, that the decision of the Borough Superintendent on Alt. App. No. 11363-38 be and it hereby is *reversed* and that the appeal be and it hereby is *granted,* in accordance with the report of the Committee on Inspection, *on condition* that in all other respects the requirements of the Building Code and Multiple Dwelling Law shall be complied with.

*Correction—The numbers "178" changed to "187" in line 29 of resolution, "20%" changed to "20 degrees" in line 33 of resolution and the word "skylight" changed to 'scuttle" in line 34 of resolution.

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendancy of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

Published weekly by the Board of Standards and Appeals at its office, Rooms 1000 to 1018, Municipal Building, New York City.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. MCELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

OFFICE—Municipal Building, Rooms 1000 to 1018.

TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

DEC 21 1938
UNIVERSITY OF ILLINOIS

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Certiorari Orders Served on Board.

Court Decision.

Rules Directory.

Time Hearing Calendar.

Minutes of Regular Meeting, November 29, 1938, at 10 A. M., Affecting Calendar Numbers 345-36-BZ, 245-37-BZ, 573-37-BZ, 40-19-BZ, 61-38-BZ, 258-38-BZ, 737-38-BZ, 764-38-BZ, 784-38-BZ, and 834-38-BZ.

Minutes of Regular Meeting, November 29, 1938, at 2 P.M., Affecting Calendar Numbers 772-28-BZ, 168-38-BZ, 551-37-BZ, 678-38-BZ, 1039-38-A, 1061-38-A, 1021-38-A, 306-38-A, 917-38-A, 950-38-A, 960-38-A, 962-38-A, 968-38-A, 1007-38-A, 1012-38-A, 1019-38-A, 1031-38-A, 1035-38-A, 1036-38-A, 1037-38-A, 1040-38-A, 1048-38-A, 1058-38-A, 1070-38-A, 696-38-A, 230-38-SM, 233-38-SM and 234-38-SM.

Corrections Affecting Calendar Numbers 341-38-SM, 979-38-SA and 947-38-SM.

Smoking in Factory, Rules.

Rules for Refrigerating Systems.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION
10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to November 29, 1938

Cal. No. *Department* *Premises Affected*

1054-38-A.....F.D.....29 South street, northwest corner of Cuylers Alley (Block 34, Lot 28), Borough of Manhattan, 32227-F and Decision.

1055-38-SA.....Goldberg Brothers Aluminum Rewinding and Patching Machine, Appliance.

1056-38-SA.....Empire Spring Register, Appliance.

1057-38-A.....F.D.....23 Murray street, north side, 75 ft. east of Church street and 27 Warren street, south side, 75.5 ft. east of Church street (Block 134, Lot 8), Borough of Manhattan, 2735-L.F.

1058-38-A.....H.B.R.....2-4 Sand street, north side, 241.17 ft. east of Bay street and 24 Wave street (Block 489, Lot 19), Stapleton, Borough of Richmond, Alt. 1286-38.

1059-38-A.....H.B.M.....564 Seventh avenue, west side, 49.9 ft. north of West 40th street (Block 1012, Lot 31), Borough of Manhattan, Alt. 2276-38.

1060-38-SA.....Taylor's CO^2 Converter, 150 lbs., Appliance.

1061-38-A.....H.B.M.....478 Seventh avenue, west side, 19.1 ft. south of West 36th street (Block 785, Lot 45), Borough of Manhattan, Alt. 3159-38.

1062-38-A.....H.B.B.....3824 Avenue H, south side, 112 ft. east of East 38th street (Block 7742, Lot 45), Borough of Brooklyn, Alt. 8986-38.

1063-38-A.....H.B.M.....161 East 70th street, north side, 150 ft. east of Lexington avenue (Block 1405, Lot 26), Borough of Manhattan, Alt. 3399-38.

1064-38-A.....H.B.M.....61-63 Eighth avenue and 300 West 13th street, southwest corner (Block 616, Lot 47), Borough of Manhattan, F.P. 1176-37.

1065-38-A.....F.D.....39 Union Square West, west side, 31 ft. 6 in., south of East 17th street (Block 844, Lot 25), Borough of Manhattan, 2741-L.F.

1066-38-A.....H.B.Q.....186-21 Underhill avenue, northwest corner of 187th street and 48-74 and 48-78 187th street, west side, 96.23 ft. and 136.23 ft. north of Underhill avenue (Block 10115A, Lot 1), Flushing, Borough of Queens, N.B. 8156-38, N.B. 8158-38 and N.B. 8160-38.

1067-38-A.....H.B.Q.....187-03 Underhill avenue, northeast corner of 187th street and 48-87 and 48-91 187th street, east side, 29.86 ft. and 69.86 ft. north of Underhill avenue (Block 10114, Lot No. 1), Flushing, Borough of Queens, N.B. 8116-38, N.B. 8118-38 and N.B. 8120-38.

1068-38-A.....F.D.....32-36 Bleecker street and 309-311 Mott street, southwest corner (Block 521, Lot 11), Borough fo Manhattan, 1989-L.F. and Decision.

1069-38-BZ....H.B.Q.....7516 Rockaway boulevard, southwest corner of 76th street (Block 8946, Lot 7), Ozone Park, Borough of Queens, Alt. 902-38.

1070-38-A.....H.B.B.....2016-2020 Glenwood road, south side, 50 ft. west of East 21st street (Block 7548, Lot 46) Borough of Brooklyn, Applic. 17738-38.

1071-38-A.....F.D.....Bush building No. 51, between 47th and 48th streets (River front); (Block 725, Lot 1) Borough of Brooklyn, 1010-L.F. and Decision.

1072-38-A.....F.D.....Bush building No. 52, between 47th and 48th streets (River front); (Block 725, Lot 1) Borough of Brooklyn, 997-L.F. and Decision.

1073-38-A.....F.D.....Bush building No. 53, between 47th and 48th streets (River front); (Block 725, Lot 1) Borough of Brooklyn, 999-L.F. and Decision.

1074-38-A.....F.D.....Bush building No. 54, between 47th and 48th streets (River front); (Block 725, Lot 1) Borough of Brooklyn, 998-L.F. and Decision.

1075-38-A.....F.D.....Bush building No. 55, foot of 49th street (River front) (Block 725, Lot 1), Borough of Brooklyn, 996-L.F. and Decision.

1076-38-SM.....Storm Hot Sprayed Method of Waterproofing, manufactured by Walter H. Storm, Material.

1077-38-SA.....Empire Wall and Empire Ceiling Gravity Registers, Appliance.

CALENDAR

1078-38-BZ....H.B.Q.....85-04 Broadway, southwest corner of Corona avenue (Block 1547, Lot 21), Elmhurst, Borough of Queens, N.B. 8882-38.

1079-38-S.....H.B.M.....608-612 Sixth avenue and 50-58 West 18th street, southeast corner (Block 819, Lots 76 and 77), Borough of Manhattan, Alt. 2661-37.

1080-38-SA.....Duo-Trap for Continuous Sink and Tray Wastes, Appliance.

1081-38-SM.....Cooper Asphalt Shingles and Roll Roofing, Cooper Quality, Saxon, Sparton, Sturdy and Hexatite, manufactured by The Cooper Company, Material.

1082-38-SA.....Acme Vacuum Breaker, Appliance.

1083-38-SA.....Plummer Spray Painting Equipment, Appliance.

1084-38-SM.....Sani-Sett (Plumbing Fixture Setting Compound), manufactured by Ever-Plastics Corporation, Material.

1085-38-BZ....H.B.B.....5307-5321 21st avenue and 1072-1088 Dahill road, southeast corner (Block 5495, Lot 462), Borough of Brooklyn, Applic. 13457-38.

1086-38-BZ....H.B.Bx.....North side of East 164th street from Teller avenue to Clay avenue (Block 2424, Lot 1), Borough of The Bronx, Decision.

1087-38-BZ....H.B.Q.....42-01 Skillman avenue, north side, 100 ft. west of 43rd street (Block 183, Lot 1-B-511-16), Sunnyside, Borough of Queens, Decision re: Corr. 1978.

1088-38-A.....H.B.Q.....84-49 and 85-05 Elmhurst avenue, west side, 222 ft. 11⅝ in. south of Judge street (Block 1518, Lot 50), Elmhurst, Borough of Queens, N.B. 6403-38 and N.B. 6404-38.

1089-38-A.....H.B.B.....7-15 16th street, east side, 64 ft. south of Hamilton avenue (Block 1045, Lot 5), Borough of Brooklyn, Applic. 14506-38.

1090-38-A.....H.B.Bx....1423 Hollywood avenue, west side, 128.42 ft. north of Coddington avenue (Block 5402, Lot 32), Borough of The Bronx, N.B. 477-38.

1091-38-A.....F.D.....657-699 Park avenue, 924-942 Lexington avenue, 57 East 68th street and 54 East 69th street (Block 1403, Lot 1), Borough of Manhattan, Decision re: Docket NY 7415-F.

1092-38-BZ....H.B.Q.....167-01 to 167-19 Depot road, north side, between 167th and 168th streets and 36-27 to 36-39 167th street and 36-34 to 36-42 168th street (Block 5294, Lot 1 and part of Lot 6), Flushing, Borough of Queens, N.B. 3211-38.

DESIGNATIONS: H.B.—Department of Housing and Buildings; **H.B.B.**—Department of Housing and Buildings, Brooklyn; **H.B.M.** Department of Housing and Buildings, Manhattan; **H.B.Q.**—Department of Housing and Buildings, Queens; **H.B.R.**—Department of Housing and Buildings, Richmond; **H.B.Bx.**—Department of Housing and Buildings, Bronx; **H.D.**—Health Department and **F.D.**—Fire Department.

CERTIORARI ORDERS SERVED ON THE BOARD OF STANDARDS AND APPEALS

On October 18, 1938, board denied gasoline station in business district, under section 21, Cal. No. 332-38-BZ, at 1605-1615 Bushwick avenue, Borough of Brooklyn. Messrs. Rubinton & Coleman, attorneys, served, December 5, 1938, order of certiorari for George F. Trommer, owner, in re said decision.

* * *

On December 6, 1938, Potter & Potter, attorneys, served on the board petition and order of certiorari, on behalf of William MacCormack, lessee, in re decision of board of November 1, 1938, denying, under section 7-h, a parking space in a business use district, under Cal. No. 604-37-BZ, at premises 266-276 Clarkson avenue, Borough of Brooklyn.

COURT DECISION

Matter of Castagna (Murdock)—On April 5, 1938, board denied under section 21, in business district, erection and maintenance of gasoline station, Cal. No. 472-37-BZ, premises 2761-2773 Cropsey avenue and 196 28th avenue, Borough of Brooklyn. Mr. Justice Cuff sustained board (N.Y.L.J., Nov. 30, 1938) but stating: "without prejudice to petitioner to apply *de novo* for . . . gasoline station . . . after the new highway is sufficiently completed so that the board would be able to formulate an opinion having in mind this new improvement."

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules....Nov.	15, 1938—Vol. 23, No. 46
Certificate of Occupancy, approved form .....Aug.	23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules.....July	13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)...Aug.	3, 1937—Vol. 22, No. 31
Elevator Rules .....Mar.	3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors).....June	15, 1937—Vol. 22, No. 24
Factory Exit Rules.....Sept.	13, 1938—Vol. 23, No. 37
Fire Alarm Rules (Interior).....Oct.	4, 1938—Vol. 23, No. 40
Fire Drill Rules.....Nov.	22, 1938—Vol. 23, No. 47
Fire Retarding Rules for Garages, etc. .....Nov.	8, 1938—Vol. 23, No. 45
Fireproof Wood, Testing of.....Apr.	13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for.....Jan.	21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules .....Nov.	1, 1938—Vol. 23, No. 44
Gas Shut-Off Rules.....Apr.	7, 1925—Vol. 10, No. 14
Hatchway Protection .....June	5, 1928—Vol. 13, No. 23
Oil Burner Rules.....Nov.	8, 1938—Vol. 23, No. 45
Paint, Varnish and Lacquer Spraying Rules .....Sept.	13, 1938—Vol. 23, No. 37
Platform Trucks, Specifications for.Nov.	24, 1936—Vol. 21, No. 47
Plumbing Rules .....Aug.	3, 1937—Vol. 22, No. 31
Procedure, Rules of.....Sept.	7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.Dec.	6, 1938—Vol. 23, No. 49
Smoking in Factories, Rules for....Dec.	6, 1938—Vol. 23, No. 49
Sprinkler Rules .....June	29, 1937—Vol. 22, No. 26
Standpipe Fircline Rules.....June	8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting...June	7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.....Nov.	24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.....Nov.	24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)..Apr.	10, 1923—Vol. 8, No. 15

CALENDAR

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves	Nov. 8, 1938—Vol. 23, No. 45
Fuel Oil Burners for Domestic and Commercial Use	Aug. 30, 1938—Vol. 23, No. 35
Fuel Oil Fill Pipe Terminals	Nov. 1, 1938—Vol. 23, No. 44
Fuel Oil Burners for Industrial Use	Aug. 30, 1938—Vol. 23, No. 35
Fuel Oil Pumps	Nov. 8, 1938—Vol. 23, No. 45
Paint, Varnish and Lacquer Spraying Equipment	Sept. 13, 1938—Vol. 23, No. 37
Range Oil Burners and Space Heaters	Aug. 9, 1938—Vol. 23, No. 32

DECEMBER 6, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December* 6, 1938, at 10 o'clock, in Room 1013 Municipal Building on the following matters:

CAL. NO. 728-38-BZ—Application, August 17, 1938, under section 21 of the building zone resolution of Nathan Cooper, applicant, on behalf of Max Davidson, owner, to permit in a business use district the conversion of part of an existing building to a junk shop; premises 2401 Poplar street, northeast corner of Bronxdale avenue (Block No. 4062, Lot No. 27), Borough of The Bronx.

CAL. NO. 957-38-BZ—Application, September 29, 1938, under section 21 of the building zone resolution, of Stephen L. Heidrich, applicant, on behalf of Estate of Frederick D. Fricke, owner (Earle Hotel Corp., lessee), to permit in a residence use district, the conversion of occupancy of part of an existing building to a business use (restaurant); premises 103-105 Waverly place, north side, 35 ft. 3 in. west of MacDougal street (Block No. 553, Lot No. 31), Borough of Manhattan.

CAL. NO. 848-38-BZ—Application, October 5, 1938, under section 21 of the building zone resolution, of Abram Shlefstein, applicant, on behalf of Craufombe Estates, Inc., owner, (Shell Union Oil Corp., lessee), to permit in a business use district, the erection and maintenance of an accessory building to an existing gasoline service station; premises 2942-2948 Avenue U and 2102-2112 Haring street, southwest corner (Block No. 7363, Lot No. 5), Borough of Brooklyn.

CAL. NO. 589-38-BZ—Application, July 8, 1938, under sections 7h and 21 of the building zone resolution, of Jay Emanuel, applicant, on behalf of Franklin Savings Bank, in the City of New York, owner, (Jacob A. Goldstein and May Harris, lessees), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 303 West 51st street, north side, 58 ft. 10½ in. west of Eighth avenue (Block No. 1042, Lot No. 28½ and part of Lot Nos. 29, 30, 30½, 31, 32, 33, 33½ and 34), Borough of Manhattan.

CAL. NO. 771-38-BZ—Application, September 6, 1938, under section 21 of the building zone resolution, of William F. Wund and Allen Moss, applicants, on behalf of Wonten Realty Corporation, owner, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 204 West 65th street, south side, 50 ft. west of Amsterdam avenue (Block No. 1156, Lot No. 36), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 6, 1938, 2 P. M.

Appeals from Administrative Orders

748-38-A—506-516 Wortman avenue and 953 Essex street, southeast corner (Block No. 4407, Lot No. 1), Borough of Brooklyn.

1009-38-A—57-16 Granger street, south side, 136 ft. east of Martense avenue (Block No. 1950, Lot No. 46), Corona, Borough of Queens.

1025-38-A—180 South Oxford street, west side, 371 ft. 8 in. north of Atlantic avenue (Block No. 2004, Lot No. 66), Borough of Brooklyn.

1039-38-A—215 Butler street, north side, 221 ft. east of Bond street (Block No. 405, Lot No. 57), Borough of Brooklyn.

1061-38-A—478 Seventh avenue, west side, 19.1 ft. south of West 36th street (Block No. 785, Lot No. 45), Borough of Manhattan.

284-37-A—484-496 Fulton street and 2-30 Bond street, southeast corner (Block No. 159, Lot No. 1), Borough of Brooklyn.

288-37-A—422-438 Fulton street, 14-30 Hoyt street, 171-201 Livingston street and 15-19 Gallatin place (Block No. 156, Lot No. 1), Borough of Brooklyn.

331-37-A—450-458 Fulton street, south side, block bounded by Livingston street, Hoyt street and Elm place (Block No. 157, Lot No. 1), Borough of Brooklyn.

351-37-A—2307 Beverly road and 2410 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.

280-38-A—162-10 Jamaica avenue, south side, 70 ft. east of 162nd street, 92-15 Union Hall street and 92-14 New York boulevard (Block No. 1052, Lot Nos. 4, 6, 13, 79), Jamaica, Borough of Queens.

650-38-A—37-02 to 37-08 Main street, southwest corner of 37th avenue (Block No. 4971, Lot No. 27), Flushing, Borough of Queens.

1043-38-A—859 Westchester avenue, north side, 242 ft. east of Prospect avenue (Block No. 2690, Lot No. 10), Borough of The Bronx.

1063-38-A—161 East 70th street, north side, 150 ft. east of Lexington avenue (Block No. 1405, Lot No. 26), Borough of Manhattan.

1064-38-A—61-63 Eighth avenue and 300 West 13th street, southwest corner (Block No. 616, Lot No. 47), Borough of Manhattan.

1065-38-A—39 Union Square West, west side, 31 ft. 6 in.

south of East 17th street (Block No. 844, Lot No. 25), Borough of Manhattan.

1071-38-A—Bush Building No. 51, between 47th street and 48th street (Block No. 725, Lot No. 1); (River front), Borough of Brooklyn.

1072-38-A—Bush Building No. 52, between 47th street and 48th street (Block No. 725, Lot No. 1); (River front), Borough of Brooklyn.

1073-38-A—Bush Building No. 53, between 47th street and 48th street (Block No. 725, Lot No. 1); (River front), Borough of Brooklyn.

1074-38-A—Bush Building No. 54, between 47th street and 48th street (Block No. 725, Lot No. 1); (River front), Borough of Brooklyn.

1075-38-A—Bush Building No. 55, foot of 49th street (Block No. 725, Lot No. 1); (River front), Borough of Brooklyn.

1090-38-A—1423 Hollywood avenue, west side, 128.42 ft. north of Coddington avenue (Block No. 5402, Lot No. 32), Borough of The Bronx.

1091-38-A—657-699 Park avenue, 924-942 Lexington avenue, 57 East 68th street and 54 East 69th street (Block No. 1403, Lot No. 1), Borough of Manhattan.

1068-38-A—32-36 Bleecker street and 309-311 Mott street, southwest corner (Block No. 521, Lot No. 11), Borough of Manhattan.

1088-38-A—84-49 and 85-05 Elmhurst avenue, west side, 222 ft 11⅜ in. south of Judge street (Block No. 1518, Lot No. 50), Elmhurst, Borough of Queens.

1093-38-A—150 East 14th street and 124 Third avenue, southwest corner (Block No. 559, Lot No. 32), Borough of Manhattan.

1095-38-A—1680 Broadway, east side, 60 ft. north of West 52nd street and 808 Seventh avenue (Block No. 1024, Lot No. 38), Borough of Manhattan.

097-38-A—197 Broadway, north side, 124.4 ft. east of Driggs avenue (Block No. 2446, Lot No. 93), Borough of Brooklyn.

098-38-A—12 Barclay street, south side, 238 ft. west of Broadway (Block No. 88, Lot No. 14), Borough of Manhattan.

099-38-A—14 Barclay street, south side 263 ft. west of Broadway (Block No. 88, Lot No. 14), Borough of Manhattan.

09-38-A—533-537 West 34th street, north side, 400 ft. west of Tenth avenue (Block No. 706, Lot Nos. 14 and 15), Borough of Manhattan.

06-38-A—254 West 100th street, south side, 86.6 ft. east of West End avenue (Block No. 1871, Lot No. 61A), Borough of Manhattan.

07-38-A—207 Greene street, west side, 177 ft. south of West Third street (Block No. 534, Lot No. 31), Borough of Manhattan.

4-38-A—29 South street, northwest corner of Cuylers Alley (Block No. 34, Lot No. 38), Borough of Manhattan.

4-38-A—1 53rd street, north side, 1200 ft. west of First avenue (Block No. 803, Lot No. 1), Borough of Brooklyn.

4-38-A—Transportation of fuel oil in tank truck (not of approved type) in New York City.

7-38-A—56 East 11th street, south side, 206 ft. east of University place (Block No. 562, Lot No. 12), Borough of Manhattan.

928-38-A—217-219 Mercer street, west side, 132 ft. north of Bleecker street (Block No. 533, Lot No. 29), Borough of Manhattan.

935-38-A—101 Spring street and 104-108 Mercer street, northeast corner (Block No. 498, Lot No. 27), Borough of Manhattan.

Variations of Labor Law

1101-38-S—10 East 56th street, south side, 200 ft. east of Fifth avenue (Block No. 1291, Lot No. 64), Borough of Manhattan.

1102-38-S—659 Rockaway avenue, east side, 75 ft. south of Dumont avenue and 288 Dumont avenue (Block No. 3576, Lot Nos. 22 and 27), Borough of Brooklyn.

925-38-S—305 East 149th street, north side, 475 ft. west of Cortlandt avenue (Block No. 2331, Lot No. 63), Borough of The Bronx.

DECEMBER 13, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December* 13, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 94-38-BZ—Application, February 16, 1938, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Jeho Co., Inc., owner (Jamaica Parking Co., Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-02 to 89-12 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

CAL. NO. 478-38-BZ—Application, June 10, 1938, under section 7h of the building zone resolution, of James Ellswick, applicant and lessee, on behalf of Estate of Emily K. Goodwin, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 252-256 Dyckman street, southeast corner of Payson avenue (Block No. 2246, Lot No. 55), Borough of Manhattan.

CAL. NO. 772-38-BZ—Application, August 26, 1938, under sections 7a, 7c and 21 of the building zone resolution, of Morton E. Bleich, applicant, on behalf of Henry Phipps Estates, owner (Ross-Frankel, Inc., lessee), to permit in a residence use district the erection and maintenance of a business and factory building; premises 281-289 Ninth avenue and 402-414 West 27th street, southwest corner (Block No. 724, Lot No. 36), Borough of Manhattan.

CAL. NO. 774-38-BZ—Application, September 7, 1938, under section 21 of the building zone resolution, of Giaccone and Richards, applicants, on behalf of Hungarian Society

CALENDAR

of New York, owner, to permit in a residence use district the erection and maintenance of a business building; premises west side of Cypress Hills street, 150 ft. inside of premises and 500 ft. north of Interboro parkway (Block No. 3750, Lot Nos. 280 and 290), Glendale, Borough of Queens.

CAL. NO. 803-38-BZ—Application, September 20, 1938, under section 7h of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Estate of Leopold Rossbach, owner (Laurence B. Rossbach, trustee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3901-3911 White Plains avenue, northwest corner of East 222nd street (Block No. 4824, Lot Nos. 4 and 7), Borough of The Bronx.

CAL. NO. 830-38-BZ—Application, September 29, 1938, under sections 7a and 21 of the building zone resolution, of Koch and Wagner, applicants, on behalf of Louis Lachter, owner (H. C. Bohack Co., Inc., lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of an auto laundry on an existing gasoline service station; premises 61-52 to 61-64 Woodhaven boulevard and 61-09 to 61-21 Dry Harbor road, southwest corner (Block No. 2950, part of Lot No. 1), Elmhurst, Borough of Queens.

CAL. NO. 873-38-BZ—Application, October 11, 1938, under section 21 of the building zone resolution, of Edward Necarsulmer, applicant, on behalf of Congregation Emanu-El (Salem Fields Cemetery), owner, to permit in a residence use district the erection and maintenance of two (2) business buildings; premises 67-18 Interborough parkway, south side, 83.70 ft. west of Cypress Hills street (Block No. 3740, Lot No. 250), Glendale, Borough of Queens.

CAL. NO. 869-38-BZ—Application, October 7, 1938, under section 7b of the building zone resolution, of Alexander A. Forman, 3rd, applicant, on behalf of Higbie Springfield Corporation, owner, to permit in a residence use district, extending from a business use district, the exit from a place of public assembly (bowling alleys); premises 116-51 219th street and 219-01 Linden boulevard, northeast corner (Block No. 2153, Lot Nos. 6 to 10, inclusive), St. Albans, Borough of Queens.

CAL. NO. 148-36-BZ—Application of Arthur Epstein, lessee (Bowery Savings Bank, owner), reopened November 22, 1938 for consideration as to extension of permit—re application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the maintenance of a parking lot for the storage of more than five (5) motor vehicles; premises 1083-1087 Hall place and 856-864 East 167th street, southwest corner (Block No. 2691, Lot No. 86), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 13, 1938, 2 P. M.

Appeals from Administrative Orders

981-38-A—2130-2140 Rockaway parkway, southeast corner of Schenck avenue (Block No. 8331, Lot No. 1), Borough of Brooklyn.

850-38-A—North side of Walling street, 100 ft. east of Northern boulevard (rear of lot); (southeast corner of Sybilla street and Viola place); (Block No. 3895, Lot No. 1), Forest Hills, Borough of Queens.

851-38-A—East side of Northern boulevard, 92 ft. north of Walling street (Block No. 3895, Lot No. 29), Forest Hills, Borough of Queens.

852-38-A—North side of Walling street, 100 ft. east of Northern boulevard (front of lot); (northwest side of Walling street and Wanda place); (Block No. 3895, Lot No. 1), Forest Hills, Borough of Queens.

853-38-A—Northwest corner of Walnut street and 71st (Continental) avenue (Block No. 2805, Lot No. 1), Forest Hills, Borough of Queens.

854-38-A—90-20 70th drive (Wanda place), east side, 353 ft. 5 in. south of Metropolitan avenue (east side of Wanda place, 350 ft. south of Metropolitan avenue); (Block No. 3896, Lot No. 56), Forest Hills, Borough of Queens.

855-38-A—North side of Walling street, 150 ft. east of Northern boulevard (north side of Walling street, 180 ft. east of westerly lot line); (Block No. 3895, Lot No. 34 and part of Lot No. 35), Forest Hills, Borough of Queens.

856-38-A—North side of Walling street, 200 ft. east of Northern boulevard (northwest corner of Walling street and Wanda place); (Block No. 3895, Lot No. 35), Forest Hills, Borough of Queens.

1049-38-A—591 Washington street, east side, 75 ft. north of Clarkson street and 610 Greenwich street (Block No. 601, Lot No. 29), Borough of Manhattan.

1017-38-A—4750 Third avenue and 441 East 189th street, northeast corner (Block No. 3033, part of Lot No. 53), Borough of The Bronx.

1089-38-A—7-15 16th street, east side, 64 ft. south of Hamilton avenue (Block No. 1045, Lot No. 65), Borough of Brooklyn.

1115-38-A—1520-1522 Jesup avenue, east side, 194 ft. north of East 172nd street (Block No. 2872, Lot Nos. 285 and 286), Borough of The Bronx.

1113-38-A—41-01 to 41-16 12th street, super block bounded by 41st avenue, 21st street, Bridge Plaza north and 12th street (Block No. 463, Lot No. 182 and Block No. 464, Lot No. 114), Long Island City, Borough of Queens.

1114-38-A—41-01 to 41-16 12th street, super block bounded by 41st avenue, 21st street, Bridge Plaza north and 12th street (Block No. 463, Lot

CALENDAR

No. 182 and Block No. 464, Lot No. 114), Long Island City, Borough of Queens.

1121-38-A—12-02 to 12-32 40th avenue, super block bounded by 40th avenue, 21st street, 41st avenue and 12th street (Block No. 467, Lot Nos. 510 and 544 and Block No. 468, Lot No. 457), Long Island City, Borough of Queens.

1122-38-A—10-02 to 10-30 40th avenue, super block bounded by 40th avenue, 12th street, 41st avenue and 10th street (Block No. 469, Lot No. 415 and Block No. 470, Lot No. 375), Long Island City, Borough of Queens.

1123-38-A—10-02 to 10-30 41st avenue, super block bounded by 41st avenue, 12th street, a proposed street (41st road) and 10th street (Block No. 465, Lot No. 35 and Block No. 466, Lot No. 35), Long Island City, Borough of Queens.

1124-38-A—8-02 to 8-32 40th avenue, super block bounded by 40th avenue, 10th street, 41st avenue and Vernon boulevard (Block No. 478, Lot Nos. 1, 22 to 27 inclusive and Block No. 479, Lot No. 1), Long Island City, Borough of Queens.

1125-38-A—8-02 to 8-36 41st avenue, super block bounded by 41st avenue, 10th street, Bridge Plaza North and Vernon boulevard (Block No. 480, Lot No. 1 and Block No. 481, Lot Nos. 1 to 7, inclusive, 8, 12, 16, 36, 55 and 63), Long Island City, Borough of Queens.

1126-38-A—477-483 10th avenue, southwest corner of West 37th street (Block No. 708, Lot Nos. 35 and 37), Borough of Manhattan.

1117-38-A—1292 Southern boulevard, east side, 100 ft. north of Freeman street (Block No. 2980, Lot No. 5), Borough of The Bronx.

1057-38-A—23 Murray street, north side, 75 ft. east of Church street and 27 Warren street, south side, 75.5 ft. east of Church street (Block No. 134, Lot No. 8), Borough of Manhattan.

1008-38-A-WF—126-14 38th avenue, south side, 100 ft. east of 126th street (Block No. 1826, Lot No. 14), Corona, Borough of Queens.

964-38-A—6 Chatham square, west side, 94 ft. 9 in. north of Mott street (Block No. 162, Lot No. 41), Borough of Manhattan.

Variation of Labor Law

1079-38-S—608-612 6th avenue and 50-58 West 18th street, southeast corner (Block No. 819, Lot Nos. 76 and 77), Borough of Manhattan.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December* 13, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 458-38-BZ—Application, June 3, 1938, under section 7h of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Son-Ray Realty and Holding Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1800-1808 East 177th street, southeast corner of Beach avenue (Block No. 3881, Lot Nos. 11 to 15, inclusive), Borough of The Bronx.

CAL. NO. 362-38-BZ—Application, May 11, 1938 under sections 6a, 6b and 21 of the building zone resolution, of David Steckler, applicant, on behalf of Henry Felsenstein, owner, to permit in a residence use district the extension in area of a garage and gasoline service station; premises 2042-2044 Ocean avenue, west side, 470 ft. south of Avenue O (Block No. 6766, Lot No. 36 and part of Lot No. 38), Borough of Brooklyn.

CAL. NO. 573-37-BZ—Application, December 3, 1937, under sections 7h and 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Mutual Life Insurance Co. of New York, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of not more than five (5) motor vehicles; premises 158-176 Columbus avenue, 101 West 67th street, 100 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 20, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December* 20, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 275-38-BZ—Application, April 14, 1938, under section 7h of the building zone resolution, of J. G. L. Molloy, applicant, on behalf of David Zipkin, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 225-229 Sherman avenue and 531-537 West 207th street, southeast corner (Block No. 2223, Lot Nos. 1 to 4, inclusive), Borough of Manhattan.

CAL. NO. 436-38-BZ—Application, June 1, 1938, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Wilgate Holding Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 53-02 Kissena boulevard, southeast corner of 153rd street, northwest corner of Kissena boulevard and Peck avenue and northeast corner of 153rd street and Peck avenue (Block No. 5163, Lot No. 74), Flushing, Borough of Queens.

CAL. NO. 177-27-BZ—Application of Seelig and Finkelstein, applicants, on behalf of Bay Road Realty Corporation, owner, reopened

CALENDAR

November 1, 1938, for consideration as to extension of time to obtain permits and to complete work—time having expired by limitation—re Application, previously granted on condition, under section 7c of the building zone resolution, permitting in a residence use district extending from a business use district the erection and maintenance of a building for store occupancy on the first story; premises north side of Broadway (Cornaga avenue), 79.18 ft. east of Mott avenue (Block No. 47, Lot No 78). Far Rockaway, Borough of Queens.

CAL. NO. 542-38-BZ—Application, June 24, 1938, under section 21 of the building zone resolution, of Patrick Quilty, applicant, on behalf of Department of Water Supply, Gas & Electricity, City of New York, owner, to permit in a business use district the erection and maintenance of an extension to an existing pumping station; extension to be used as a garage for more than five (5) motor vehicles; premises southwest corner of Fresh Meadow road and Underhill avenue (Block No. 5580, Lot No. 140), Flushing, Borough of Queens.

CAL. NO. 418-37-BZ—Application, August 25, 1937, under section 7h of the building zone resolution, of Lauritz Lauritzen, applicant, on behalf of Louis Frisse, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 115-125 Myrtle avenue, north side, 22.89 ft. east of 116th street (Block No. 9257, Lot No. 57), Richmond Hill, Borough of Queens.

CAL. NO. 888-38-BZ—Application, October 11, 1938, under sections 7a and 21 of the building zone resolution, of Abraham Farber, applicant, on behalf of Anchor Laundry of Brooklyn, Inc., owner, to permit in a residence use, and "C" area district, the alteration, extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles, and, also, the omission of the required rear yard; premises 467-473 Prospect avenue, north side, 151 ft. 4 in. west of Prospect Park West (Block No. 1113, Lot No. 62), Borough of Brooklyn.

CAL. NO. 887-38-BZ—Application, October 13, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Samuel Schenkel, owner, to permit in a business use district the erection and maintenance of an additional accessory building on an existing gasoline service station; premises 833-839 4th avenue and 168-176 30th street, southeast corner (Block No. 673, Lot No. 5), Borough of Brooklyn.

CAL. NO. 877-38-BZ—Application, October 13, 1938, under section 21 of the building zone resolution, of George A. Bagge, Jr., applicant, on behalf of Grandboro Realty Corporation, owner, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use; premises 2327 Grand Concourse, west side, 247 ft. north of East 183rd street (Block No. 3164, Lot No. 24), Borough of The Bronx.

CAL. NO. 557-38-BZ—Application, June 24, 1938, under section 21 of the building zone resolution, of Moore and Landsiedel, applicants, on behalf of Washington Heights Automobile Club, Inc., owner, to permit partly in a residence use district and partly in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 4376 Broadway, east side, 25 ft. 2-4/5 in. south of West 187th street (Block No. 2167, Lot No. 47), Borough of Manhattan.

CAL. NO. 958-38-BZ—Application, October 28, 1938, under sections 21 and 7e of the building zone resolution, of Edgar A. Palmieri, applicant, on behalf of Morris Markowitz, Fany Markowitz, and Mary Schiff, owners, to permit in a business use district the conversion of occupancy of part of an existing building to a garage for more than five (5) motor vehicles; premises 345-347 East 103rd street, north side, 125 ft. west of First avenue (Block No. 1675, Lot Nos. 21 and 22), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 20, 1938, 2 P. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December* 20, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 676-38-BZ—Application, July 29, 1938, under section 21 of the building zone resolution, of M. Allen Schlendorf, applicant, on behalf of Kroder-Reubel Co., owner, to permit in a business use district the erection and maintenance of a saw and planing mill; premises 75-81 Herbert street, north side, 50 ft. east of North Henry street (Block No. 2828, Lot No. 1), Borough of Brooklyn.

CAL. NO. 245-37-BZ—Application of Nathan Mandel, applicant, on behalf of St. Cloud Construction Corporation, owner, reopened November 1, 1938 for rehearing on new facts (previously denied by board)—Court having referred matter back to board for rehearing and reconsideration—re Application, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business

CALENDAR

building (store); premises 2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx.

CAL. NO. 345-36-BZ—Application of Hahn and Coller, applicants, on behalf of John Seinfeld, owner, reopened November 1, 1938, for rehearing on new facts (previously denied by board)—Court having referred matter back to board for rehearing and reconsideration—re Application, under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use (stores); premises 2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block No. 3161, Lot No. 26), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 4, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, January* 4, 1939, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 489-38-BZ—Application, June 14, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 219-01 North Conduit boulevard and 144-01 to 144-09 Springfield boulevard (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

CAL. NO. 95-38-BZ—Application, February 16, 1938, under section 7h of the building zone resolution, of Manufacturers Trust Company, as applicant and trustee, on behalf of R. L. Arcade Co., Inc., owner (William Bartinek, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 136-28 to 136-38 39th avenue, south side, 262.60 ft. east of Main street (Block No. 4980, Lot No. 14), Flushing, Borough of Queens.

CAL. NO. 390-37-BZ—Application, August 4, 1937, under sections 7h and 21 of the building zone resolution, of Aaron A. Roth, applicant, on behalf of George M. Thomson, owner (Joseph Beyer, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 50-02 Skillman avenue, south side, between 50th street and 51st street (Block No. 131, Lot No. 17), Long Island City, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 4, 1939, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, January* 4, 1939, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 538-37-BZ—Application, November 15, 1937, under section 7h of the building zone resolution, of Nicholas Yannaco, applicant, on behalf of W. H. Flattau & Son, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 501 West 185th street, northwest corner of Amsterdam avenue (Block No. 2156, Lot No. 56), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendancy of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, NOVEMBER 29, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, November 15, 1938, the minutes of the regular meeting of the board held on Tuesday afternoon, November 15, 1938 and the minutes of the special meeting of the board held on Friday morning, November 18, 1938, were approved as printed in Bulletin No. 47, Volume 23.

BUILDING ZONE CASES

345-36-BZ.

APPLICANT—Hahn and Coller, for John Seinfeld, owner.

SUBJECT—Application reopened November 1, 1938 for rehearing on new facts (previously denied by the board)—Court having referred the matter back to board for rehearing and reconsideration—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use (stores).

PREMISES AFFECTED—2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block No. 3161, Lot No. 26), Borough of The Bronx.

APPEARANCES—

For Applicant: Nathaniel Coller, H. I. Feldman, Julius Hahn and John Seinfeld.

For Opposition: None.

ACTION OF BOARD—Laid over to December 20, 1938, at 2 P. M., for report by committee and decision by board, without further argument.

245-37-BZ.

APPLICANT—Nathan Mandel, for St. Cloud Construction Corporation, owner.

SUBJECT—Application reopened November 1, 1938 for rehearing on new facts (previously denied by the board)—Court having referred the matter back to the board for rehearing and reconsideration—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (store).

PREMISES AFFECTED—2101 Grand concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx.

APPEARANCES—

For Applicant: Nathan Mandel.

For Opposition: None.

ACTION OF BOARD—Laid over to December 20, 1938, at 2 P. M., without further argument, for determination by the board.

573-37-BZ.

APPLICANT—Herman Kron, for Mutual Life Insurance Company of New York, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—158-176 Columbus avenue, 101 West 67th street, 100 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron, Herbert A. West and Bernard F. Stern.

For Opposition: Frank Steinberg, Charles Moore, Max Siegel, and others.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 13, 1938, at 2 P. M. for inspection by a committee of the board. No further argument.

40-19-BZ.

APPLICANT—William M. Farrar, for The Greenwich Savings Bank, owner.

SUBJECT—Application reopened November 9, 1938 (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the alteration and conversion of occupancy of a garage for more than five (5) motor vehicles (previously granted by the board) to a factory building.

PREMISES AFFECTED—227-243 West 61st street, north side, 175 ft. east of West End avenue (Block No. 1153, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: William M. Farrar and Benjamin M. Kornreich.

For Opposition: Charles S. M. First.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(40-19-BZ)

WHEREAS, Samuel Rosenblum, for Greenwood Cemetery, et al., owners, filed January 20, 1919, an application under the building zone resolution with the Board of Appeals, to permit the erection of a public garage in a business district, premises 227-243 West 61st street, northside, 175 ft. east of West End avenue (Block No. 1153, Lot No. 8), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 11, 1919, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that the premises in question are located in a business use district; and

WHEREAS, the superintendent of buildings, under date of January 20, 1919, in acting on an application to construct "N.B. 6-1919" rendered the following decision:

"Inasmuch as premises are located in a business district, the erection of a building for garage occupancy is prohibited by the building zone resolution. Section 4-a."

and

WHEREAS, an application was filed with the Bureau of Buildings, to construct a three story and basement fireproof garage building approximately 225 ft. by 100 ft. 5 in. in area; and

WHEREAS, this building was constructed and occupied as a garage for more than five motor vehicles; and

WHEREAS, the new owner, Greenwich Savings Bank, requested an amendment to the resolution adopted February

11, 1919, so as to permit the building to be occupied as a factory throughout instead of a garage; and

WHEREAS, this application was reopened by vote of the board November 9, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 29, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, after public hearing the board deemed that such use should be permitted, inasmuch as it was shown that the garage use was no longer feasible or profitable.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution adopted February 11, 1919, so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted*.

Resolved further, that in the event the owner desires to use the building throughout for factory purposes, such use may be permitted in place of the garage use, provided the garage use is entirely discontinued and the certificate of occupancy for such garage use surrendered and a new certificate of occupancy issued for the new factory use; that the building shall not be increased in height or area and shall comply with all laws, rules and regulations applicable to the proposed use and occupancy and that the sprinkler system shall be maintained to the satisfaction of the fire commissioner."

61-38-BZ.

APPLICANT—Herman Kron, for A. May Condit, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the extension of a gasoline service station.

PREMISES AFFECTED—5232-5248 Broadway, northeast corner of West 226th street (Block No. 2215, Lot No. 130), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron, Benjamin I. Salinger and David Baracos.

For Opposition: None.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(61-38-BZ)

WHEREAS, Herman Kron, for A. May Condit, owner, filed February 2, 1938, an application under the building zone resolution, to permit in a business use district the extension of a gasoline service station; premises 5232-5248 Broadway, northeast corner of West 226th street (Block No. 2215, Lot No. 130), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 29, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway is in a business use district; West 225th street is in a business and unrestricted use district; West 226th street is in a business and unrestricted use district and West 227th street is in a business and unrestricted use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated January 12, 1938, App. No. 42-1938, reads:

"1. The extension of a gasoline station in a business district is contrary to Art. II, Sec. 4, Building Zone Resolution."

and

WHEREAS, the entire premises consist of a plot of ground having a frontage of 200 ft. on Broadway, 125 ft. on West 226th street and 125 ft. on West 227th street. The easterly portion of the plot extends into an unrestricted use district for a distance of 25 ft. The remainder of the plot is in a business use district. The plot is occupied as a gasoline service station, auto laundry and repair shop, used car sales shed and parking and storage space. The part of the premises in question has a frontage of 100 ft. on Broadway and 50 ft. on West 226th street and is occupied as a gasoline service station. It is proposed to erect upon the gasoline station area, a metal building 20 ft. by 26 ft. in area, to cover the existing open grease pits; and

WHEREAS, according to statement of applicant and the records of the Fire Department, there is a legal existing use as a gasoline service station for that portion of the plot at the northeast corner of Broadway and 226th street for a distance along Broadway of over 100 ft. and a depth along 226th street of 50 ft.; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, permitting the erection of the proposed addition to the accessory building for the enclosure of existing open greasing pits, substantially as indicated on plans filed with this application, *on condition* that this additional accessory building shall be entirely within the legal gasoline station area of 50 ft. by 100 ft.; and that all permits shall be obtained and all work shall be completed within one year from the date of this action.

285-38-BZ.

APPLICANT—L. E. Driver, for New York Dock Company, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7-c and 21 of the building zone resolution, to permit partly in a business use district and partly in an unrestricted use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—210-218 Furman street, west side, 449 ft. 2 in. north of Montague street (Building No. 46); (Block No. 199, part of Lot No. 3), Borough of Brooklyn.

APPEARANCES—

For Applicant: L. E. Driver and Martin A. McDermott.

For Opposition: B. M. Langstaff.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(285-38-BZ)

WHEREAS, L. E. Driver, for New York Dock Company, owner, filed April 19, 1938, an application under the building zone resolution, to permit partly in a business use and partly in an unrestricted use district, the conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles; premises 210-218 Furman street, west side, 449 ft. 2 in. north of Montague street (Bldg. No. 46); (Block No. 199, part of Lot No. 3), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 29, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Furman street is in a business use district; Columbia Heights is in a residence use district; Montague street is in an unrestricted, business and residence use district and Wharf along the river is unrestricted; and

WHEREAS, the decision of the borough superintendent of buildings, dated March 23, 1938, re Applic. No. 3092-1938, reads:

"1. The storage of more than five motor vehicles in a business district is contrary to the Building Zone Resolution. Art. II, Sec. 4-A-15."

and

WHEREAS, the building is of fireproof construction, 4 stories in height, with a frontage of 100 ft. and depth of 210 ft., to be occupied on street level floor as a garage for more than 5 motor vehicles, and for storage above. The westerly portion of building is in a business use district, the easterly portion in an unrestricted use district; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to hearing; and

WHEREAS, the application has been amended to include section 7-C; and

WHEREAS, the board deemed that the provisions of section 7, subdivision "C" empowered the board to exercise its discretion and to grant this application under such conditions that would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7-C, to permit the street-level story of the building under appeal, to be used as a non-storage garage for the temporary storage of trucks owned by the applicant and its customers in connection with the storage and distribution carried on in the building *on condition* that no gasoline shall be stored in the building other than in tanks of the trucks; that there shall be no entrance from Furman street; all vehicular entrances being restricted to the wharf side; that the sprinkler system shall be maintained to the satisfaction of the fire commissioner; that all laws, rules and regulations applicable to the construction, occupancy and exits of building shall be complied with in all other respects and except as modified under Cal. No. 390-28-A.

737-38-BZ.

APPLICANT—Herman Kron, for Mary L. Walker, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1183 River avenue, west side, 100 ft. south of East 167th street (Block No. 2496, Lot No. 64), Borough of The Bronx.

APPEARANCES—

For Applicant: Herman Kron, Daniel Adelman and Israel Tildon.

For Opposition: Morris Singer, Jennie Brac, Donald M. Siegel and Augusta Epstein.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(737-38-BZ)

WHEREAS, Herman Kron, for Mary L. Walker, owne filed August 19, 1938, an application under the buildi zone resolution, to permit in a business use district, for temporary period of not more than two (2) years, t parking and storage of more than five (5) motor vehicle premises 1183 River avenue, west side, 100 ft. south East 167th street (Block No. 2496, Lot No. 64), Borou of The Bronx; and

WHEREAS, a public hearing was held on this applicati by the Board of Standards and Appeals, at its regul meeting, November 29, 1938, after due notice by publicati in the Bulletin of the Board of Standards and Appeal and

WHEREAS, the use district maps accompanying the buil ing zone resolution show that River avenue is in a busine use district; Cromwell avenue is in a business and residen use district; East 167th street is in a business use distri and McClellan avenue is in a business use district; a

WHEREAS, the decision of the borough superintendent buildings, dated July 25, 1938, reads:

"Your application to occupy the lot located at t above premises to be used for parking and storage more than five motor vehicles is hereby denied as the premises are located in a business use district and t proposed occupancy is contrary to Section 4 of Artic 2 of the amended Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground ha ing a frontage of 200 ft. and a depth of 135 ft. It is pr posed to use the site for a temporary period of not mo than two (2) years for the parking and storage of mo than five (5) motor vehicles; and

WHEREAS, the plot and surrounding area were inspect by a committee of the board, prior to hearing; and

WHEREAS, the board deemed that this was not a case which the board should exercise its discretion under se tion 7-h of the building zone resolution.

Resolved, that the decision of the borough superinten ent, dated July 25, 1938, be and it hereby is *affirmed,* a that the application be and it hereby is *denied.*

764-38-BZ.

APPLICANT—L. M. Rothman, for Bonay Holding Company, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7c and of the building zone resolution, to permit part in a business use district and partly in a residen use district the erection and maintenance of a m tion picture theatre.

PREMISES AFFECTED—787-795 Lydig avenue, nort west corner of Barnes avenue (Block No. 432 Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: Jacob J. Schulder and L. M. Rot man.

For Opposition: Monroe E. Stein.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	
Absent	

THE RESOLUTION—

(764-38-BZ)

WHEREAS, L. M. Rothman, for Bonay Holding Compan Inc., owner, filed September 1, 1938, an application und the building zone resolution, to permit partly in a busine use and partly in a residence district, the erection a maintenance of a motion picture theatre; premises: 78 795 Lydig avenue, northwest corner of Barnes avenu

(Block No. 4321, Lot No. 1), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 29, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Lydig avenue is in a business use district; Barnes avenue is in a residence and business use district and Wallace avenue is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated August 9, 1938, re N.B. Application No. 338-38, reads:

"1. Extension of business into a residence district is contrary to Article 2, Section 3 of the Building Zone Resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Lydig avenue and 165 ft. on Barnes avenue. The northerly portion of the plot extends into the residence use district for a distance of 65 ft., the remainder of the plot is in a business use district. The Lydig avenue front of the plot is developed with a one-story structure developed by stores. It is proposed to erect upon the easterly portion of the plot (located in a residence use district) a motion picture theatre (600 seats). It is further proposed to alter the westerly store (fronting on Lydig avenue and having a frontage of 20 ft.) to a lobby for the proposed theatre; and

WHEREAS, the board deemed that the applicant did not substantiate his basis of appeal under section 21 of the building zone resolution, practical difficulties and unnecessary hardship.

Resolved, that the decision of the borough superintendent, N.B. Application No. 338-38, be and it hereby is *affirmed,* and that the application be and it hereby is *denied.*

834-38-BZ.

APPLICANT—William V. McDevit, for J. Clarence Davies, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of an additional accessory building to an existing gasoline service station.

PREMISES AFFECTED—3273-3277 Westchester avenue and 2000-2006 Colonial avenue, northeast corner (Block No. 4249, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: William V. McDevit.

For Opposition: Daniel Pinsky, and Mrs. M. Schuberth.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(784-38-BZ)

WHEREAS, William V. McDevit, for J. Clarence Davies, Inc., owner, filed September 12, 1938, an application under the building zone resolution, to permit in a business use district, the erection and maintenance of an additional accessory building in an existing gasoline service station; premises 3273-3277 Westchester avenue and 2000-2006 Colonial avenue, northeast corner (Block No. 4249, Lot No. 1), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 29, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Westchester avenue is in a business use district; Colonial avenue is in a residence and business use district; Burr avenue is in a residence and business use district and Eastern boulevard is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated September 9, 1938, re Application No. 437-1938, reads:

"1. The erection of the proposed accessory buildings to existing gasoline service station in a business district is contrary to section 4-a of the building zone resolution."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 50.4 ft. on Westchester avenue and 96.5 ft. on Colonial avenue. Upon the Colonial avenue front of the plot there is located a one story structure having a frontage of 55 ft. 8 in. and a depth of 17 ft. (irregular), occupied as a five car garage and salesroom building. It is proposed to demolish the salesroom portion of this building (16 ft. by 14 ft. 1 in. in area) and one of the garage sections and to erect a one story office 14 ft. 8 in. by 17 ft. in area; it is proposed, also, to relocate the existing grease pit and to erect a one story structure (27 ft. 4 in. by 21 ft. 2 in. in area) to cover the pits. The remainder of the plot occupied as a gasoline service station—to remain as at present; and

WHEREAS, the board deemed that applicant was entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted,* permitting the reconstruction of the office building and the construction of a building to house the lubricating pits, substantially as indicated on plans filed with this application, *on condition* that the existing size of the gasoline station, namely 50.42 ft. on Westchester avenue and 96.5 ft. on Colonial avenue shall not be increased; that a wall or fence shall be constructed between the rear of the existing garage and the rear of the proposed lubritorium building, closing off the rear space which is to be unused; that no gasoline pumps shall be erected closer than 10 ft. to the building line of either street; and that all permits shall be obtained and all work completed within one year from the date of this action.

834-38-BZ.

APPLICANT—Julius Eckmann, for Charles T. Wills, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises located in same street between two intersecting streets, in which portion there exists an exit from and an entrance to a public school.

PREMISES AFFECTED—240-246 West 68th street, south side, 470 ft. west of Amsterdam avenue (Block No. 1159, Lot Nos. 52 to 55 inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: Julius Eckmann and C. S. Wills.

For Opposition: David Siskind, William J. Ryan, Joseph Caslin, Charles Greenbaum, Mrs. M. Holeck and Charles Moore.

For Administration: Fred Dahlem, Department of Housing and Buildings and Charles Tilgner, for Board of Education.

ACTION OF BOARD—Application withdrawn, after argument.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(834-38-BZ)

WHEREAS, Julius Eckmann, for Charles T. Willis, Inc., owner, filed September 30, 1938, an application under the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles. Premises are located on same street between two intersecting streets in which portion there exists an exit from and an entrance to a public school; premises 240-246 West 68th street, 470 ft. west of Amsterdam avenue (Block No. 1159, Lot Nos. 52 to 55 inclusive), Borouhg of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, November 29, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 68th street is in a business and unrestricted use district; West 67th street is in a business and unrestricted use district; West End avenue is in a business and unrestricted use district and Amsterdam avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated September 27, 1938, reads:

"Answering your letter of September 23, 1938, requesting a denial for the parking space at the above premises so that the matter may be appealed within thirty (30) days and explaining that the thirty (30) day requirement has expired since our denial of August 18, 1938, you are advised that this department has no authority to extend such time. Therefore, the denial of August 18, 1938, is herewith repeated:

Your application dated August 19, 1938 for a certificate of occupancy for use of above premises for the parking and storage of more than five motor vehicles is hereby denied for the reason that the premises are located in a business district where this occupancy is prohibited by Article 2, Section 4a, subdivision 15 of the Zone Resolution and also by Article 5, section 21, as there is a school entrance and exit on same street between two intersecting streets."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. and a depth of 100 ft. Upon the easterly front of the plot there is located a 3 story storage and dwelling structure which is to remain. It is proposed to use the remainder of the plot for a temporary period of not more than 2 years, for the parking and storage of more than five (5) motor vehicles; and

WHEREAS, the board deemed that it was without power to consider the application for the proposed parking and storage use, in view of the prohibition in section 21, inasmuch as there exist cntrances and exits of a public school on the same street between the intersecting streets; and

WHEREAS, the applicant requested permission to withdraw the application.

Resolved, that the application be and it hereby is *withdrawn.*

Adjourned, 1:10 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, NOVEMBER 29, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

772-28-BZ.

APPLICANT—Louis E. Ordwein, for The Bank for Savings in City of New York, owner.

SUBJECT—Application reopened November 9, 1938 on new proposal—(re decision of the borough superintendent of buildings) under section 7e of the building zone resolution, to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously granted by the board for a garage for more than five (5) motor vehicles).

PREMISES AFFECTED—136-138 East 41st street, south side, 148 ft. 3 in. east of Lexington avenue (Block No. 1295, Lot No. 46), Borough of Manhattan.

APPEARANCES—

For Applicant: David Weinberg.
For Opposition: Fred C. Laet and Mrs. Miller.

ACTION OF BOARD—Resolution amended.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(772-28-BZ)

WHEREAS, this application affecting premises 136-138 East 41st street, south side, 148 ft. 3 in. east of Lexington avenue (Block No. 1295, Lot No. 46), Borough of Manhattan, was granted by the board March 12, 1929, on certain conditions, resolution amended July 13, 1937 and January 18, 1938, and owner requested a further amendment of the resolution; and

WHEREAS, this application was reopened by vote of the board November 9, 1938; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting, November 29, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* resolution adopted on March 12, 1929, as amended by resolution July 13, 1937 and January 18, 1938, so that as amended it shall read:

"Resolved, that the Board of Standards and Appeals does hereby make a variation in the application of the use and area district regulations of the building zone resolution and that the application be and hereby is *granted* under section 7e, permitting the use of this building for the storage of more than five (5) motor

vehicles *on condition* that any gasoline stored in the building shall be used exclusively for servicing the automobiles stored therein and not for sale to passing motor vehicles; that the building shall be constructed fireproof throughout; that the gable and rear walls shall be unpierced throughout their entire height and width; that a rear yard, not less than 8 ft. in depth on the average, starting at the level of the second tier of beams and 21 ft. easterly from the westerly property line of this plot, shall be established and maintained; that a new wall shall be erected enclosing the rear of the building at this point; that no opening shall be constructed in this new rear wall; that the requirements of the building code shall be complied with as to structural requirements and the side party walls shall be required to be reinforced by construction of piers or steel columns for the support of the new fireproof floor construction; that the requirements of the zone resolution shall be complied with in all respects other than as varied herein; that the front wall *shall be either reconstructed with face brick or* shall be thoroughly repaired and treated with a stucco finish in imitation limestone; that the roof shall not be used for the storage or servicing of any automobiles; that any opening in the elevator shaft constructed above the main roof level shall be restricted to a width not exceeding 3 ft.; that any advertising exposed or displayed on the front of the building shall be restricted to one projecting illuminated sign, indicating the name and title of the business conducted on the premises, prohibiting any temporary signs or roof signs; that in the event the owner desires to construct openings on the 1st and 2nd floors to connect this building with the adjoining garage building located at 130-132 East 41st street, constructed in accordance with zoning variance granted by the board under Cal. No. 774-20-BZ, such openings may be permitted so long as both buildings meet all the requirements for such garage use; that such openings shall not exceed the size shown on plans marked 'Received January 10, 1938,' and are protected with Underwriters' steel doors or rolling steel curtains on each side of each opening; that the cellar may be used provided that the room in which the heater is installed shall be separated from balance of building with fireproof construction and enterable only from exterior of the building; that the tanks for the storage of gasoline as herein permitted shall not be constructed nearer than 15 ft. from any portion of the boiler room; that all permits shall be obtained and all work completed within one year from the date of this action.

Resolved further, that in the event the garage use as hereinbefore permitted is not conducted and the building is removed, the plot may be used for the parking and storage of more than five motor vehicles, on condition that the surrounding walls on the lot lines shall be maintained without openings therein; that the plot shall be leveled substantially to the grade of 41st street; that there shall be erected across the front of the plot on the 41st street building line, a substantial woven wire fence not less than 6 feet in height for the full width of the plot, except for an entrance not over 15 feet in width with a curb cut opposite not exceeding a similar width; that no signs shall be erected on the premises, except there may be erected a sign advertising the parking and storage use, provided such sign is not over 15 square feet in area attached to the street line fence; that during the time these premises are used for parking and storage, they shall be used for no other use and no building shall be erected thereon, except that may be erected near the entrance, a building as a shelter and office for the attendant, such building to be not more than one story in height and 150 square feet in area; that all permits required shall be obtained and all work involved completed within three months from the date of this action."

168-28-BZ.

APPLICANT—William H. Garbade, Jr., for Adelaide F. Garbade, owner.

SUBJECT—Application for consideration — reopening — approval of plans and to impose additional conditions re application (decision of the commissioner of buildings) under section 7f of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—54-82 to 54-90 Kissena boulevard, northwest corner of North Hempstead turnpike (Block No. 5179 (1056), Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Wm. H. Garbade, Jr. and Gilbert N. Ramsey.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(168-28-BZ)

WHEREAS, John Kochendorfer, for Adelaide F. Garbade, owner, filed February 25, 1928, an application under the building zone resolution to permit in a business use district, the erection and maintenance of a gasoline service station; premises 54-82 to 54-90 Kissena boulevard, northwest corner of North Hempstead turnpike (Block No. 5179 (1056), Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, this application was dismissed for lack of prosecution July 24, 1928, reopened June 12, 1934, denied October 23, 1934; and

WHEREAS, William H. Garbade, for the owner, requested a reopening of the case, to permit the erection and maintenance of a gasoline service station for a temporary period of two years; and

WHEREAS, this application was reopened November 23, 1937, by vote of the board on the basis of new facts and granted by the board June 1, 1938, on certain conditions; and

WHEREAS, plans have been submitted for the consideration of the board in accordance with the requirements of its resolution of June 1, 1938; and

WHEREAS, as such plans are not satisfactory to the board, the applicant requests withdrawal of same and requests an extension of time so as to submit further plans.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of June 1, 1938, only so far as it has reference to the time within which plans shall be submitted for consideration, so that as amended the resolution shall read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 7f for a period of two years from the date of this action, *on condition* that the plot under appeal shall be leveled substantially to the grade of North Hempstead turnpike and Kissena boulevard; that the arrangement of the plot shall be substantially in accordance with the plans filed with this application and in accordance with the conditions stated in the application; that no gasoline pumps shall be erected nearer than 15 ft. to the street line of either street; that complete working drawings shall be submitted for the imposition of such additional conditions as the board may deem necessary, prior to plans being filed

with the superintendent of buildings; that such plans shall be filed within *three* months from the date of this *amended* resolution; that as a condition of this variance, in the event Kissena Park is developed substantially in accordance with plans filed with this application by the park commissioner, within two years (except for the construction of a swimming pool), no further extension of this gasoline station beyond the two year permit herein permitted, shall be requested."

551-37-BZ.

APPLICANT—Joseph B. Lynch, for Colonial Beacon Oil Co., Inc., lessee, for Bryce Rea, owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—233-02 Northern boulevard and 45-01 233rd street, southeast corner (Block No. 8166, Lot No. 20), Douglaston, Borough of Queens.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(551-37-BZ)

WHEREAS, Bryce Rea, owner, filed November 19, 1937, an application under the building zone resolution to permit in a business use district the erection and maintenance of a gasoline service station; premises: 233-02 Northern boulevard and 45-01 233rd street, southeast corner (Block No. 8166, Lot No 20), Douglaston, Borough of Queens; and

WHEREAS, this application was granted by the board April 12, 1938, on certain conditions, resolution amended October 4, 1938, and the owner, through his lessee, requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of April 12, 1938, as amended October 4, 1938, so that as amended, the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 thereof, for a temporary period of five years from the date of this action, to permit the plot under appeal to be occupied as a gasoline service station, *on condition* that the plot shall be leveled substantially to the grade of Northern boulevard; that the accessory building shall not exceed one story in height and shall be constructed of incombustible materials, as indicated on revised plan marked 'Received September 7, 1938' and shall be of the portable type not exceeding an area of one thousand (1,000) square feet of ground area *and may be constructed with metal frame and fibre board and stucco on metal lath on the exterior and* 16 *gauge metal on the interior; that the roof may be constructed of steel plates covered with fibre board and metal and approved roof surfacing; that all construction shall be of fireproof materials, except that the interior and exterior doors may be of wood; that the entire building may be constructed on a reinforced concrete mat of sufficient area and thickness satisfactory to the borough superintendent;* that the building shall be set back for a depth of approximately forty (40) feet and the area between the front of the building and Northern boulevard shall be surfaced with cracked bluestone, properly bound and rolled, or similar impervious paving; that the gasoline pumps shall not be nearer than fifteen (15) feet to the street building line of Northern boulevard; that entrances to the premises shall not exceed two (2) from Northern boulevard, no entrance to exceed twenty-five (25) feet in width; that no portion of the curb cut nor splay for same, shall be nearer than three (3) feet to the side lot line, as extended at right angles to the street building line of Northern boulevard; that no automobile repairing shall be conducted on the premises; that there shall be no parking or storage of cars on the premises other than those being serviced; that signs shall be restricted to the illuminated globes of the pumps and to a fixed sign attached to the front facade of the accessory building, excluding all roof signs and temporary signs, but permitting the erection of a post standard within the building line near the intersection of the building lines of Northern boulevard and 233rd street, supporting a sign advertising only the brand of gasoline sold and permitting such sign to extend over the street building line for a distance of not more than five (5) feet; that all permits required shall be obtanied and all work involved completed within one year from April 12, 1938."

678-38-BZ.

APPLICANT—Albert Goldhammer, for Transboro Realty Corporation, owner.

SUBJECT—Application for consideration — reopening — amendment of resolution re application (decision of the borough superintendent of buildings) under section 21 of the building zone resolution, permitting in a residence use "B" area district, the construction of a building (multiple dwelling) having a rear yard starting at a higher level than permitted by the building zone resolution.

PREMISES AFFECTED—1555 Sheridan avenue, west side, 236.72 ft. south of Mt. Eden avenue (Block No. 2821, Lot Nos. 61-63 and 64), Borough of The Bronx.

APPEARANCES—

For Applicant: Albert Goldhammer.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(678-38-BZ)

WHEREAS, Albert Goldhammer, for Transboro Realty Corporation, owner, filed July 27, 1938, an application under the building zone resolution, to permit in a residence use, "B" area district, the construction of a building (multiple dwelling) having a rear yard starting at a higher level than permitted by the building zone resolution; premises 1555 Sheridan avenue, west side, 236.72 ft. south of Mount Eden avenue (Block No. 2821, Lot Nos. 61, 63 and 64), Borough of The Bronx; and

WHEREAS, this application was granted October 18, 1938, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of October 18, 1938, only so far as it has reference to the lowest floor level construction, so that as amended the resolution will read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the

MINUTES

area district regulations of the building zone resolution and that the application be and it hereby is granted under section 21 thereof, to permit the construction of the rear yard substantially as indicated on plans filed with this application *on condition* that the rear yard shall be at least one foot below the lowest floor level of the rear portion of the building and that the lowest floor construction of the rear portion of the building shall be of fireproof construction *and that if there is any open excavation below the lowest floor occupied for living purposes, that the floor for such space shall be of fireproof construction* and that in all other respects, all requirements of laws, rules and regulations applicable to this building shall be complied with."

APPEALS FROM ADMINISTRATIVE ORDERS

1039-38-A.

APPLICANT—Hald Pneumatic Systems, for Philco Venetian Blind Company, lessee.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—215 Butler street, north side, 221 ft. east of Bond street (Block No. 405, Lot No. 57), Borough of Brooklyn.
APPEARANCES—
For Applicant: John Clemons and Marcus S. Pollard.
For Administration: Inspector Meyer, Fire Dept.
ACTION OF BOARD—Laid over to December 6, 1938, at 2 P. M. for inspection by a committee of the board.

1061-38-A.

APPLICANT—Oscar Lowinson, for S. Axel, Incorporated, lessee.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—478 Seventh avenue, west side, 19.1 ft. south of West 36th street (Block No. 785, Lot No. 45), Borough of Manhattan.
APPEARANCES—
For Applicant: Oscar Lowinson and Sidney J. Rosenstock.
For Administration: Fred Dahlem, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to December 6, 1938, at 2 P. M. Applicant to submit revised plans.

1021-38-A.

APPLICANT—Dorothy F. Skoler, lessee.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—1036 Summit avenue, east side, 175 ft. south of 165th (formerly Devoe) street (Block No. 2525, Lot No. 16), Borough of The Bronx.
APPEARANCES—
For Applicant: Dorothy F. Skoler.
ACTION OF BOARD—Appeal withdrawn without argument.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

06-38-A.

APPLICANT—Irene Thatcher, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
PREMISES AFFECTED—1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn.
APPEARANCES—
For Applicant: Max H. Newman.
For Administration: Morris Hames, Department of Housing and Buildings.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(306-38-A)

WHEREAS, Irene Thatcher, owner, filed on April 22, 1938, an appeal from a decision of the Acting Borough Superintendent, Department of Housing and Buildings, affecting premises 1602 Avenue J, southeast corner of East 16th street (Block No. 6718, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the Acting Borough Superintendent, dated March 23, 1938, on Alteration Application No. 2959-38, reads:

"Correct present occupancy in papers to read 'office', as in permit N.B. 383/1902.

As there were structural alterations made under Book slip permits 20236/17 and 22950/18 and as this building is located within a residential district, proposed change of occupancy is contrary to Art. 2, Sect. 6 of the zone resolution. DENIED."

and

WHEREAS, the building is one story (14 ft.) in height, 13 ft. 8 in. by 24 ft. 3½ in. in area, of frame construction, located on a plot 20 ft. front by 76 ft. 6 in. in depth, in a residence use "E" area district; erected in 1902 under N.B. Permit 383-02 and occupied as a hand laundry; and

WHEREAS, the applicant contends that the premises were erected in 1902, pursuant to Permit No. N.B. 383-1902; Slip permits were granted in 1917 and 1918 for minor improvements. The first permit dated December 22, 1917 (slip permit No. 20236) was to move present frame office around at right angles and set same on piers of masonry at a cost of $100. The second permit, dated September 7, 1918 (slip permit No. 22950) was to erect a chimney at a cost of $50. This work was completed. From 1902 until 1930 these premises were used as a real estate office; during the latter part of 1930 or early 1931 until the present time, the premises have been occupied by a hand laundry.

Resolved, that the decision of the Borough Superintendent, acting on Alt. Application No. 2959-38 be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that the building shall not be further increased in height or occupancy; that no part of cellar shall be used for laundry work and that the Certificate of Occupancy shall be amended to read: 'Occupied as a hand laundry"; and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

917-38-A.

APPLICANT—Elias, Rothschild & Co., Inc., for Joharlou Mercantile Co., Inc., lessee.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—163-34 to 163-40 Jamaica avenue, south side, 307.30 ft. east of New York boulevard (Block No. 1167, Lot No. 16), Jamaica, Borough of Queens.
APPEARANCES—
For Applicant: James P. Whiskeman.
For Administration: Inspector Maher, Fire Dept
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0
Absent 0

THE RESOLUTION—

(917-38-A)

WHEREAS, Elias Rothchild & Company, Inc., for Joharlou Mercantile Co., Inc., lessee, filed on October 24, 1938, an appeal from an order and decision of the fire commissioner, affecting premises 163-34 to 163-40 Jamaica avenue, south side, 307.30 ft. east of New York boulevard (Block No. 1167, Lot No. 16), Jamaica, Borough of Queens; and

WHEREAS, order No. 983-LF, issued by the fire commissioner, on July 28, 1938, reads:

"1. Provide a separate and distinct system of Automatic Sprinklers throughout the building having at least one source of water supply, arranged and equipped as provided in Art. 16, Administrative Code."

and

WHEREAS, the said order was repeated in a decision of the fire commissioner, dated October 7, 1938; and

WHEREAS, the building is two stories (25 ft.) in height, 58.42 ft. front by 401.52 ft. in depth, of nonfireproof construction, located in a business and unrestricted use district; erected in 1928 and 1936 and occupied throughout as a furniture salesroom, 55 persons per floor; and

WHEREAS, the applicant contends that these premises consist of two buildings, one fronting on Jamaica avenue and extending back to a permanent right-of-way or street extending to and connected with 165th srteet. The rear building faces on the above-mentioned right-of-way or street. The two buildings are separated by a 12 in. brick wall in the upper stories and a 16 in. concrete wall in the basement. The openings in these walls are provided with double automatic self-closing rolling shutters with Underwriters labels. This fire wall divides the premises into two distinct and independent buildings; the front building on Jamaica avenue has been a store building for many years. In 1932 the present lessee made a number of alterations to the building which were approved by the Building Dept. under Alt. App. 6710-32.f; and

WHEREAS, a committee of the board inspected these premises.

Resolved, that the order of the fire commissioner, No. 983-LF, be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that additional means of access shall be installed to the cellar, as indicated on revised plans marked "Received November 29, 1938"; that two extra areaways shall be installed, one on east wall and one on west wall, approximately midway of the length of the rear building, and that an opening shall be provided in wall of 2nd story for access to this portion of the building from Jamaica avenue; and that in all other respects all laws, rules and regulations as to the occupancy of this building shall be complied with.

950-38-A.

APPLICANT—Marta Schiappari, lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—75 Washington place, north side, 176 ft. east of Sixth avenue (Block No. 552, Lot No. 66), Borough of Manhattan.

APPEARANCES—

For Applicant: Milton E. Goldman.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(950-38-A)

WHEREAS, Marta Schiappari, lessee, filed on October 28, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 75 Washington place, north side, 176 ft. east of Sixth avenue (Block No. 552, Lot No. 66), Borough of Manhattan; and

WHEREAS, the decision of the Borough Superintendent, dated October 13, 1938, re E. S. 1512-38, reads:

'Your Electric Sign application 1512-1938, filed August 17, 1938, with this department, is herewith disapproved for the reason that the premises are located in a residential district where business signs are prohibited."

and

WHEREAS, the building is 4 stories, (46 ft) in height, 22 ft. by 72 ft. in area; of nonfireproof construction; located in a residence use district; erected prior to 1875 and occupied as follows: Cellar—storage and boilerroom; basement—restaurant; dwelling above, for which Certificate of Occupancy No. 17864-31 was issued September 29, 1931; and

WHEREAS, applicant contends that a permit for a sign was granted to applicant in the year 1934; said permit was renewed and granted every year thereafter and is in all respects in full force and effect; that a sign has been and still is maintained at said premises for over 30 years; a restaurant has been and still continues on said premises for over 30 years; the zoning ordinance specifically excepts premises in use as a business at the time of the adoption of the ordinance; the department erred in not granting application for an electric sign.

Resolved, that the decision of the Borough Superintendent, as to Electric Sign Application No. 1512-38, be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that the sign shall be of the size and in the location as indicated in Electric Sign Application No. 1512-38; and that no additional signs, advertising the legal non-conforming use of the restaurant in the basement shall be installed on any portion of the building above the floor level of the 1st floor.

960-38-A.

APPLICANT—The Allen E. Rogers Laboratories, Inc., for Bertha A. Nebel, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—72-76 Grand avenue, west side, 120 ft. north of Park avenue (Block No. 892, Lot No. 48), Borough of Brooklyn.

APPEARANCES—

For Applicant: Allen E. Rogers.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(960-38-A)

WHEREAS, The Allen E. Rogers Laboratories, Inc., for Bertha A. Nebel, owner, filed October 31, 1938, an appeal from an order and decision of the fire commissioner, affecting premises 72-76 Grand avenue, west side, 120 ft. north of Park avenue (Block No. 892, Lot No. 48), Borough of Brooklyn; and

WHEREAS, Order No. 75660-LC, issued by the fire commissioner June 8, 1938, reads:

"3. Discontinue the practice of commercial distilling or recovering of cumol, since no new permit may be issued for same except in special areas in the Borough of Richmond.

4. Provide an approved buried storage system for all volatile inflammable oils (xylol, cumol, benzol), in

excess of 5 gallons or reduce the quantity stored to not exceeding 5 gallons in an approved safety can. C-19-51-0-b-5, Administrative Code."

and

WHEREAS' the said order was repeated in a decision of the fire commissioner, dated September 28, 1938; and

WHEREAS, the building is 2 stories (35 ft.) in height, 36 ft. by 80 ft. in area, of non-fireproof construction; located in an unrestricted use district; erected in 1922 and occupied as follows: 1st floor—machine shop, 2 persons; 2nd floor—chemical laboratory, 3 persons; and

WHEREAS, the applicant contends, as to Item 3 of the order, that the work required by this item represents a sizable percentage of the applicant's income; discontinuance of such work would prove an extreme hardship to the extent it may necessitate the closing of the business or removal outside the city limits; as to Item 4 of the order, if this item necessitates the discontinuance of cumol distillation, compliance will not be necessary since this material will not be stored on the premises.

Resolved, that the order of the fire commissioner No. 75660-LC, Items 3 and 4, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that there shall be a separate class 5 metal building constructed on the open lot to the south, of sufficient size for the storage of such chemicals as are used, so that only the minimum quantities as approved by the fire commissioner, shall be used within the building under appeal; that the enclosures around the laboratory and the boiler room shall be constructed of continuous partitions from floor to ceiling, covered on at least one side with ½ in. sheetrock or equivalent material with doors thereto metal covered and self-closing.

962-38-A.

APPLICANT—S. Walter Katz, for Michael V. Marraffino, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—133 East 47th street, north side, 145 ft. east of Lexington avenue (Block No. 1302, Lot No. 25½), Borough of Manhattan.

APPEARANCES—

For Applicant: Ludwig Hanaver.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(962-38-A)

WHEREAS, S. Walter Katz, for Michael V. Marraffino, owner, filed November 1, 1938, an appeal from a decision of the borough superintendent, Department of Housing and Buildings, affecting premises 133 East 47th street, north side, 145 ft. east of Lexington avenue (Block No. 1032, Lot No. 25½), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alt. App. 2679-38, reads:

"A12. The changing of a heretofore converted class B multiple to a hereafter converted class A multiple dwelling is contrary to Section 8, Multiple Dwelling Law."

and

WHEREAS, the building is 3 stories and basement (39 ft. 10 in.) in height, 17 ft. 6 in. by 50 ft. in area; of non-fireproof construction; equipped with a sprinkler system; located in a retail use zone; erected about 1880; occupied since 1922 as follows: Cellar—storage, no persons; basement—dwelling, 3 persons; 1st, 2nd and 3rd floors—furnished rooms, 4, 6 and 6 persons, respectively (Class B, M. D. Law); and

WHEREAS, it is proposed to use the building when altered as follows: Cellar—storage, no persons; basement—store, 5 persons; 1st, 2nd and 3rd floors—Class A. multiple dwelling; and it is proposed to install a new store front, remove all encroachments outside the building line on basement store end and on the upper floors it is proposed to install one bathroom and kitchenette in each apartment; there will be two apartments to each floor, consisting of two rooms each; the building will be generally rehabilitated window sash, electric wiring, flooring, plastering, painting, etc., will be overhauled; and

WHEREAS, the applicant contends that the objection of the borough superintendent is in error as section 8 of the Multiple Dwelling Law clearly states that it excludes Article 6, which refers to converted dwellings; that the law was not written to prevent an owner from making changes to a small existing building.

Resolved, that the decision of the borough superintendent, acting on Alt. App. No. 2679-38, Objection A-12, be and it hereby is *reversed*, and the appeal be and it hereby is *granted on condition* that the interpretation of the Multiple Dwelling Law shall be in accordance with report of committee of board as rendered November 29, 1938, in connection with Cal. No. 968-38-A.

968-38-A.

APPLICANT—Slee & Bryson, for United Cities Realty Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—204 Columbia Heights, west side, 188 ft. 1 in. north of Pierrepont street (Block No. 233, Lot No. 10), Borough of Brooklyn.

APPEARANCES—

For Applicant: John B. Slee and Elmer Blomberg.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(968-38-A)

WHEREAS, Slee & Bryson, for United Cities Realty Corporation, owner, filed on November 2, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 204 Columbia Heights, west side, 188 ft. 1 in. north of Pierrepont street (Block No. 233, Lot No. 10), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent on App. No. 9771-38, dated October 21, 1938, reads:

"M.D.L.—23—Show proof that this building was erected to be used or occupied as a one or two family house.

27—As this building has already been converted to another class, same cannot be again converted to a different class, unless as a hereafter erected building. Sec. 8.

Note: Alt. permit No. 3610-16 shows this building as a class B rooming house."

and

WHEREAS, the building is 5 stories and basement, (69 ft. 2 in.) in height, 37 ft. 3 in. by 59 ft. 1 in. in area, of non-fireproof construction; located in a residence and business use "D" area, district; erected prior to 1873 and occupied since 1916 as a Class B multiple dwelling; and

WHEREAS, it is proposed to alter the building to a Class A occupancy, Certificate of Occupancy No. 109 was issued December 28, 1916, for the following use: Basement, 1st and 2nd floors, one family; 3rd, 4th and 5th floors, 11 furnished rooms; and

WHEREAS, the applicant contends that the existing certificate of occupancy is for one family and 11 furnished rooms; that upon the enactment of the present Multiple Dwelling Law the building automatically became a heretofore converted Class B dwelling, which is the present legal occupancy as there have been no recorded alterations since 1929; that it is proposed to convert the building from a heretofore converted Class B to a converted Class A multiple dwelling by altering same in connection with Section 8 and Section 172, subdivision A of the Multiple Dwelling Law and not as a hereafter erected building as specified in the Superintendent's objection 23; that the board should consider that the building was erected to be used or occupied as a one-family dwelling; that as to objection 27, that such objection was a result of an interpretation of Section A given in an opinion of the Corporation Counsel, copy of which is filed with this appeal; that the building did not lose its status as a dwelling when it became a furnished room house nor will it cease to be a dwelling, due to the proposed conversion from Class B to Class A occupancy; that the building in question complies with Section 4, Subdivision 8, in that it is a dwelling heretofore erected to be used or occupied by one family and heretofore or hereafter used or occupied as a multiple dwelling; that the opinion of the Corporation Counsel refers specifically to a building occupied as a private school; and

WHEREAS, this appeal was the subject of a report by a Committee of the Board, which report follows:

REPORT OF COMMITTEE.

November 20, 1938

Cal. No. 968-38-A.

Premises: 204 Columbia Heights, Brooklyn.

This application is for a review of the decision of the borough superintendent, who has refused to approve plans to alter without proof that the building was originally erected as a one or two-family residence, and determining since it has already been once converted, that it cannot again be converted to another class.

In 1916 a certificate of occupancy was issued after an alteration which permitted occupancy for one family on the first and second floors and eleven furnished rooms on the 3rd, 4th, and 5th (or top) floors. That constituted the legal recorded occupancy on April 18, 1929, when the building automatically became a heretofore converted Class B multiple dwelling. It is sufficient that the building was thus classified in 1929. It has at no time since 1929 been altered to a non-residential use.

The remaining question is whether a Class B converted dwelling may be changed to a Class A converted dwelling. There is no prohibition of such change in Section 8, paragraphs 1 and 6, provided the requirements of Article VI are complied with. The last sentence of Section 8, paragraph 6, while permitting an existing multiple dwelling to take advantage of the liberalizing provisions of the Multiple Dwelling Law, in no way prohibits a change of class, but applies only where the class is not changed.

Section 172A, as added by the Laws of 1930, permitted change from Class B to Class A, provided the building did not exceed five stories in height and was occupied by not more than two families on a floor. Section 172A, as amended by the Laws of 1935, further liberalized the provisions increasing the height to five stories and basement and prohibits "any dwelling not occupied on said date (Apr. 15, 1930) as a Class A multiple dwelling (to) be thereafter converted to a Class A multiple dwelling," unless it is made to comply with the provisions of subdivision two of Section 172A.

It is recommended that the decision of the Borough Superintendent of Buildings be reversed as to objections 23 and 27, dated October 21, 1938, applying to application 9771 of 1938.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

Resolved, that the decision of the Borough Superintendent, acting on Application No. 9771-38, Objections 23 and 27, be and it hereby is *reversed*, and the appeal be and it hereby is *granted* in accordance with the recommendations of the committee.

1007-38-A.

APPLICANT—Lama & Proskauer, for Green Bus Lines, Incorporated, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—148-02 to 148-18 147th avenue, southwest corner of 149th street (Block No. 4233, part of Lot No. 1), South Jamaica, Borough of Queens.

APPEARANCES—
For Applicant: Alfred A. Lama.
For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1007-38-A)

WHEREAS, Lama & Proskauer, for Green Bus Lines, Incorporated, owner, filed November 9, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises: 148-02 to 148-18 147th avenue, southwest corner of 149th street (Block No. 4233, part of Lot No. 1), South Jamaica, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N.B. Application No. 7914-38, dated October 28, 1938, reads:

"1. The proposed installation of four 2,500 gallon gasoline tanks is contrary to chap. 19, Title C, article 1, section C 19-69.e of the Administrative Code."

and

WHEREAS, the proposed building is to be 2 stories (28 ft.) in height, 199.4 ft. by 260 ft. in area on the first floor and 50 ft. by 60 ft. in area on the second floor, of fireproof construction (garage portion) and non-fireproof construction (office portion), located on a lot 200 ft. by 500.60 ft. in area, in an unrestricted use district; to be occupied as follows: Cellar—boiler room; first floor—repair shop and garage for more than 5 motor vehicles; office, 15 persons; 2nd floor—office, 15 persons; and

WHEREAS, it is proposed to install four 2,500 gallon double shell steel tanks for gasoline storage; and

WHEREAS, the applicant contends this garage will have a capacity of 150 buses using approximately 5,000 gallons of gasoline per day; that due to the enormous amount of gasoline used and the necessary reserve requirements, it is respectfully requested that this application be granted as it will eliminate a large amount of unnecessary piping.

Resolved, that the decision of the borough superintendent of buildings, in acting on N.B. Application No. 7914-38, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection No. 1, so as to permit the installation of four 2,500 gallon double shell steel tanks for the storage of gasoline, *on condition* that such installation shall meet all the requirements of the Administrative Code in all other respects, section C19-69.0, except that the inner and outer tanks shall comply with the require-

ments for tanks of similar size, as required by the Oil Burner Rules of the Board of Standards and Appeals; that such tanks shall be located outside of the proposed buildings and below grade.

1012-38-A.

APPLICANT—S. Millman and Son, for Woljay Realty Corporation, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—1602 Pitkin avenue, south side, 40 ft. east of Amboy street (Block No. 3518, Lot No. 35), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Millman and Louis Sobelman.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1012-38-A)

WHEREAS, S. Millman & Son, for Woljay Realty Corporation, owner, filed November 10, 1938, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 1602 Pitkin avenue, south side, 40 ft. east of Amboy street (Block No. 3518, Lot No. 35), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, dated November 10, 1938, re Alt. Application No. 14759-38, reads:

"3. 1st and 2nd story walls are required to be 12 in. thick as in 8.4.2.5 of the Code.
4. Enclosure for stairway to be constructed of assemblies having a rating of at least one hour 6.4.1.8.1.
5. All doors opening on required stairway, shall have a fire resistive rating of ¾ of an hour to be self-closing, 6.4.1.8.1.
6. Minimum door width to be 3 ft. 0 in. wide, 6.2.1."
7. Stairway to continue to roof, 6.4.1.11.
8. Reinforce floor so as to be able to sustain a live load of 75 lbs."

and

WHEREAS, the building is three stories (34 ft.) in height, 20 ft. by 100 ft. in area at 1st floor and 20 ft. by 55 ft. in area above, of non-fireproof construction, located in a business use district, erected in 1909, and occupied as follows: Cellar—storage; 1st floor—stores; 2nd floor—beauty parlor and one family; 3rd floor—one family. Certificate of occupancy No. 71510 was issued on July 31, 1933 and permits the occupancy of the building as follows: Cellar—ordinary; 1st floor—2 stores; 2nd floor—one family; 3rd floor—one family; and

WHEREAS, the applicant contends that the building is located in the heart of the business district; that a very small percentage of the floor area of the second floor will be used for a beauty parlor; that this area would not permit more than 12 persons to be accommodated at one time; that the stairway enclosure to the second floor is in good condition and covered with a heavy coat of Craftex. It is requested that the use proposed be permitted with the existing construction to remain.

Resolved, that the decision of the acting borough superintendent of buildings, in acting on Alt. Application No. 14759-38, be and it hereby is *modified,* and that the appeal be and it hereby is *granted on condition* that the building shall not be occupied above the street floor for more than two families, one family on the third floor and one on the second and permitting the front portion of the second floor to be occupied as a beauty parlor, provided same is operated by the tenant of the second floor; that the building shall not be further increased in height or area; that the equipment installed shall not be in excess of the existing floor load and that not more than five persons shall be serviced at one time; that the stairway shall lead directly to the street and shall be enclosed in plaster partitions; that provision shall be made to provide exit to the ground from the one story extension in the rear, which may be by means of iron ladder of sufficient length to reach the ground from the one story roof.

1019-38-A.

APPLICANT—Oscar I. Silverstone, for Bristol Investing Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1767 Union street, north side, 80 ft. east of Utica avenue and 289 Utica avenue (Block No. 1397, Lot Nos. 1 and 80), Borough of Brooklyn.

APPEARANCES—

For Applicant: Oscar I. Silverstone.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1019-38-A)

WHEREAS, Oscar I. Silverstone, for Bristol Investing Corporation, owner, filed November 14, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises 289 Utica avenue and 1767 Union street, north side, 80 ft. east of Utica avenue (Block No. 1397, Lot Nos. 1 and 80), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated October 13, 1938, re: Amdt. Applic. No. 14923-38, reads:

"2. Specify existing use of building on cast, if dwelling, give date, framing of floors, also if building is over twenty feet in height, same not permitted."

and

WHEREAS, the premises consist of two buildings two stories (25 ft. 6 in.) in height, 100 ft. by 100 ft. in total area, of non-fireproof construction, located in a business use "B" area district, erected in 1905 and 1927 and occupied as follows: 289 Utica avenue: cellar—storage; 1st floor—stores and public market, 120 lbs. L.L.; 2nd floor—restaurant and one family, 100 lbs. and 40 lbs. L.L.; premises 1767 Union street: one family throughout; and

WHEREAS, certificate of occupancy No. 68462 was issued for premises 289 Utica avenue on September 16, 1932 and certificate of occupancy No. 7496 was issued August 16, 1926 for premises 1767 Union street; and

WHEREAS, it is proposed to join both buildings and occupy same as follows: cellar—storage, check room, boiler room and lavatories, 50 persons; 1st floor—stores and catering establishment, 50 persons; 2nd floor—offices and catering establishment, 200 persons; and

WHEREAS, the applicant contends that 1767 Union street purchased for the specific use now applied for; that the amendment, which is the subject of this appeal was made to an open permit No. 13129-36 and that the 40 ft. height limitation for public occupancy in the old Code should apply; that the alteration as proposed, provides additional means of egress from the corner building and that the exits provided are in excess of the legal minimum requirements.

Resolved, that the decision of the borough superintendent, in acting on Amdt. Applic. No. 14923-38, be and it

hereby is *modified*, and that the appeal be and it hereby is *granted*, as to Objection 2, *on condition* that the building at 1767 Union street shall comply in all other respects, other than for the excessive height, with all requirements of the Building Code for the use and occupancy proposed, and that the proposed openings in the brick wall on the second floor between the proposed party room "A" and the corner building, occupied as office, shall be protected with underwriters' labeled fire doors on both sides of the wall at each opening.

1031-38-A.

APPLICANT—A. C. Kaestner, for F. & M. Schaefer Brewing Company, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1-13 South 11th street, northwest corner of Kent avenue (Block No. 2154, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. C. Kaestner.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1031-38-A)

WHEREAS, A. C. Kaestner for F. & M. Schaefer Brewing Company, owner, filed November 16, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises 1-13 South 11th street, northwest corner of Kent avenue (Block No. 2154, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated November 16, 1938, in acting on Alt. Applic. No. 17078-38, reads:

"Storage of more than 550 gallons of volatile inflammable oil in each tank is contrary to Chap. 19-51.0, Administrative Code. Proposition denied."

and

WHEREAS, the building is two stories (40 ft.) in height, 194 ft. 8⅝ in. by 101 ft. in area, of non-fireproof construction, equipped with a standpipe system, located in an unrestricted use district, erected in 1896 and occupied as follows: 1st floor—garage for more than 5 cars, one person; 2nd floor—same, 1 person; and

WHEREAS, the applicant contends that it is proposed to install two 1,500 gallon gasoline storage tanks (Aqua System—Fire Department Approval No. 461); that the gasoline consumption will be approimately 2,500 gallons per day and in order that sufficient storage may be maintained, a capacity of 3,000 gallons is required; that the installation of six 550 gallon tanks, with the necessary fill couplings, pipe joints, pipe, gauge openings and vents will be more hazardous than the installation as proposed; that the premises in question are located in an industrial district and there are no residences in the immediate neighborhood.

Resolved, that the decision of the borough superintendent, acting on Alt. Applic. No. 17078-38, be and it hereby is *modified*, and the appeal be and it hereby is *granted*, permitting the installation of two (2) 1,500-gallon gasoline storage tanks, *on condition* that such tanks shall be installed in accordance with the requirements of the Administrative Code, C-19-69.0; and that the construction of tanks shall be in accordance with the requirements of the Oil Burner Rules of the Board of Standards and Appeals for tanks of similar size.

1035-38-A.

APPLICANT—Victor Lehman, for Leo Brecher, lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—42-44 East 58th street, south side, 100 ft. east of Madison avenue (Block No. 1293, Lot No. 47), Borough of Manhattan.

APPEARANCES—

For Applicant: Victor Lehman and David Weinberg.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1035-38-A)

WHEREAS, Victor Lehman, for Leo Brecher, lessee, filed November 17, 1938, an appeal from a decision of the borough superintendent of buildings, affecting premises 42-44 East 58th street, south side, 100 ft. east of Madison avenue (Block No. 1293, Lot No. 47), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated November 14, 1938, reads:

"In answer to your letter of October 31, 1938, you are advised that the electric signs are prohibited on 58th street between Lexington and Fifth avenues by Section 215, Article 16, Chapter 23 of the Code of Ordinances.

Your request for the re-issuance of this permit is therefore denied."

and

WHEREAS, the building is one story, (36 ft.) in height, 50 ft. by 100 ft. 5 in. in area, of non-fireproof construction, located in a retail use district, erected prior to 1929 and altered to its present use in 1929, and occupied as follows: Cellar—toilet and lounge; 1st floor—motion picture theatre, for which certificate of occupancy No. 16034 was issued January 20, 1930; and

WHEREAS, the applicant contends that in order to properly conduct this business it is an absolute necessity to maintain illuminated signs on the marquee over the entrance to this theatre; that after approval of the structural plans, applications were filed and a permit was obtained for the erection of five (5) illuminated signs on the marquee; that there is serious doubt that the theatre project would have been undertaken unless illuminated signs were permissible since such advertising is practically indispensable to successful operation; that the sign permit was renewed in 1931 and in 1932, expiring on April 7, 1933; that before the permit expired, an application for the renewal of the same was made but was refused on the alleged grounds that illuminated signs on East 58th street were prohibited; that such refusal is unwarranted in law but in any event works a hardship; that illuminated sign permit No. M-271782 was issued May 14, 1932; that more than two months previously and on February 16, 1932, Section 215—Sub-Division 2—Article 16 of the Code of Ordinances relating to "Illuminated Signs" was amended so as to include East 58th street as one of the streets in which illuminated signs were prohibited; that permit of 1932 was issued because these premises had the exemption and benefit, respectively, provided in Section 215—Sub-Division 2 and Section 220 entitled "Retroactive Effect" that the public authorities believed that Section 215—Sub-Division 2 provided a clear exemption to these premises, because it expressly excepts "illuminated signs existing upon theatres," and that the "Retroactive Effect" of Section 220 directly immunizes these signs; that the trend of this street for business use was recognized and legally established in 1929 when East 58th street between Madison and Park avenues was re-zoned; that at the present time the greatest proportion of the street level from Fifth avenue to Park

avenue on East 58th street is devoted to business and many illuminated signs of the same character as these in question, are being used; that directly opposite these premises at 41 East 58th street, there is a marquee and illuminated sign advertising "SCHRAFFT'S" restaurant; that adjacent to Schrafft's entrance are numerous shops extending in either direction to Park avenue and Madison avenue; that diagonally opposite these premises at 15 East 58th street, there is a marquee and illuminated sign advertising "THE MADISON" hotel and adjacent to which there are likewise retail stores running in either direction to Fifth and Madison avenues; that on the south side at 6 East 58th street, there is a projecting illuminated sign in the form of a marquee advertising "REUBEN'S" restaurant and adjacent to that, stores running in either direction to Fifth and Madison avenues. Similarly adjacent to these premises in question in either direction there are retail stores.

Resolved, that the decision of the borough superintendent of buildings dated November 14, 1938, be and it hereby is *modified*, and that the appeal be and it hereby is *granted*, so as to permit the continuance of the illuminated signs attached to the marque, *on condition* that such signs shall not substantially exceed those permitted in previous permit M-281782, dated May 14, 1932.

1036-38-A.

APPLICANT—Charles N. and Selig Whinston, for Libco Realty Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—110-112 Trinity place and 106 Liberty street, southwest corner and 105 Cedar street (Block No. 52, Lot No. 30), Borough of Manhattan.

APPEARANCES—

For Applicant: Charles N. Whinston.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1036-38-A)

WHEREAS, Charles N. and Selig Whinston, for Libco Realty Corporation, owner, filed on November 17, 1938, an appeal from a decision of the borough superintendent, Department of Housing and Buildings, affecting premises 110-112 Trinity place and 106 Liberty street, southwest corner, and 105 Cedar street (Block No. 52, Lot No. 30), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated November 7, 1938, re: Alt. App. No. 3188-38, reads:

"11. Provide legal enclosed stair from second floor to street. Stair to handle 200 persons. Sec. 6-1-2-3-1a Building Code."

and

WHEREAS, the building is 5 stories (55 ft.) in height, 59 ft. by 29.5 ft. in area; of non-fireproof construction; located in an unrestricted use "B" area district; erected in 1894; occupied as follows: Cellar—100 persons; 1st story—stores and restaurant, 60 persons; 2nd story—restaurant, 60 persons; 3rd, 4th and 5th floors—vacant; certificate of occupancy No. 6402 was issued in 1923 for office use; and

WHEREAS, the applicant contends that it is proposed to replace the interior stair from the street to second floor with an outside iron balcony and counterbalanced stair on the Liberty street side of the building so that there would be, in addition to the stair leading from the second floor restaurant to the first floor restaurant, two counterbalanced stairs, one each at the extreme ends of the second floor; that the second floor restaurant is not to be enlarged in area from the existing area, nor is the seating capacity to be extended into the vacant space; the Liberty street half of the second floor as well as all the upper floors of the building, are to be and remain vacant; that the Liberty street window is to be converted into a door leading to the balcony and there will be an exit light and sign over the restaurant door as well as over the window leading to the counterbalanced stair. This counterbalanced stair will be made 3 ft. 8 in. wide; that the existing fire-escape on the Cedar street side of the building has been erected prior to this date on an order from the Labor Department and that the upper floors of the building have heretofore been used for factory purposes.

Resolved, that the decision of the borough superintendent acting on Alt. App. No. 3188-38, Objection No. 11, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the 3rd, 4th and 5th stories and the 2nd floor for a distance of approximately 35 ft. shall be completely unoccupied and shut off from the balance of the building, permitting no access thereto, except by means of the exterior fire escapes; that an existing interior stairway shall be maintained as shown from the 1st to the 2nd floor; that the existing counterbalanced Labor Law fire escape on the Cedar street side of the building shall be maintained for all stories and that a similar fire escape shall be erected on the Liberty street side with a fire-retarded passageway through the same as an extension of the existing stairhall on the 2nd floor to permit access from the occupied portion of the 2nd floor; that in all other respects the building shall comply with all laws, rules and regulations applicable to its construction and occupancy.

1037-38-A.

APPLICANT—Otto H. Spin, for Forty Wall Street Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—40 Wall street, north side, 177 ft. east of Nassau street and 25-29 Pine street (Block No. 43, Lot No. 2), Borough of Manhattan.

APPEARANCES—

For Applicant: Otto H. Spin.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1037-38-A)

WHEREAS, Otto H. Spin, for Forty Wall Street Corporation, owner, filed on November 7, 1938, an appeal from a decision of the borough superintendent, Department of Housing and Buildings, affecting premises 40 Wall street north side, 177 ft. east of Nassau street, and 25-29 Pine street (Block No. 43, Lot No. 2), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated November 4, 1938, acting on Alt. App. No. 3186-38, reads:

"1. Contrary to Sec. 2.4.1 to construct gratings at curb line as shown on plans."

and

WHEREAS, the building is 70 stories and cellar (926 ft.) in height, 149 ft. 11 in. by 195 ft. 2 in. in area, of fireproof construction; equipped with a standpipe and a sprinkler system; erected in 1929; located in a business use, "B" area district; and occupied as a bank and office building throughout, for which Certificate of Occupancy

No. 17405, was issued March 21, 1931; and

WHEREAS, the applicant contends that the proposed gratings and access doors are required to ventilate transformer vault under sidewalk in connection with the building; that gratings will be 2 ft. 3 in. from curb, leaving a clear pedestrian passage of 10 ft. 10 in. from building to gratings and so located to minimize any possible fire hazard to occupants and building, such as was evident at 324-42 4th avenue, due to these ventilation gratings being located immediately adjacent to building line; that the Electric Code, article 70, section 7004, subdivision F, states "ventilating openings of the vault shall not be so located in relation to building exits, other ventilating intakes, windows, inflammable materials, etc."

Resolved, that the decision of the borough superintendent of buildings, in acting on Alt. Applic. No. 3186-38, objection No. 1, be and it hereby is *modified,* and that the appeal be and it hereby is *granted,* so as to permit the installation of the gratings in connection with transformer vault adjacent to curb, as indicated on plans filed with this appeal, *on condition* that the vault shall be constructed of fireproof material and no opening from the vault shall extend into the building; that the gratings shall be of a type as approved by the Board of Transportation for subway gratings and shall be kept locked at all times, except when necessary for repairs or cleaning and that at such time a proper guard shall be installed around the opening to avoid accident to pedestrians.

1040-38-A.

APPLICANT—Fred B. McDuffee, Assistant Engineer, for Department of Public Works, City of New York, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—922-946 Georgia avenue, west side, 50 ft. south of Wortman avenue and 911-935 Alabama avenue (Block No. 4388, part of Lot No. 15), Borough of Brooklyn.

APPEARANCES—

For Applicant: A. M. Morris.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1040-38-A)

WHEREAS, Fred B. McDuffee, for Department of Public Works, City of New York, owner, filed on November 18, 1938, an appeal from the borough superintendent, Department of Housing and Buildings, affecting premises 922-946 Georgia avenue, west side, 50 ft. south of Wortman avenue, and 911-935 Alabama avenue (Block No. 4388, part of Lot No. 15), Borough of Brookyn; and

WHEREAS, the decision of the borough superintendent, acting on N.B. App. No. 12514-38, dated November 22, 1938, reads:

"2. Application for 2,000 gallon gasoline tank is denied. Same is contrary to C-19-51.0 of the Administrative Code."

and

WHEREAS, the proposed building is to be one story (26½ ft.) in height, 211 ft. by 200 ft. in area; of fireproof construction, equipped with a standpipe system; located in undetermined use district and occupied as follows: 1st floor—office, storage, boiler room and garage, 12 persons; mezzanine—toilets, washrooms, shower and locker rooms, 100 persons; and

WHEREAS, the applicant contends that the proposed build- and will accommodate approximately 125 trucks and pieces of snow removal equipment belonging to the Department of Sanitation and will require the storage of a considerable quantity of gasoline; that it is proposed to install four 2,000-gallon tanks instead of the large number of 550-gallon tanks required by the Code; that the proposed installation is much safer since considerably less piping will be required.

Resolved, that the decision of the borough superintendent of buildings, in acting on N.B. Application No. 12514-38, be and it hereby is *modified,* and that the appeal be and it hereby is *granted,* as to Objection No. 2, so as to permit the installation of four 2,000-gallon gasoline storage tanks as proposed, *on condition* that the tanks shall meet the requirements of the Oil Burner Rules of the Board of Standards and Appeals for tanks of similar capacity and shall in all other respects meet the requirements of the Administrative Code relative to the installation of tanks.

1048-38-A.

APPLICANT—Joseph H. Cornell, for Ida Engel, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—544 Beach 68th street, east side, 400 ft. north of Thursby avenue (Block No. 445, Lot No. 21), Arverne, Borough of Queens.

APPEARANCES—

For Applicant: Joseph H. Cornell.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1048-38-A)

WHEREAS, Joseph H. Cornell, for Ida Engel, owner, filed on November 21, 1938, an appeal from a decision of the borough superintendent, Department of Housing and Buildings, affecting premises 544 Beach 68th street, east side, 400 ft. north of Thursby avenue (Block No. 445, Lot No. 21), Arverne, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 7939-38, dated November 8, 1938, reads:

"The use of a 3rd story of a two-family frame building for living quarters is contrary to Sec. 8.7.2.1."

and

WHEREAS, the building is 2½ stories (35 ft.) in height, 28 ft. by 36 ft. in area, of frame construction, on a lot 50 ft. by 100 ft.; located in a residence use "D" area district, erected in 1915 and occupied as one-family dwelling throughout; it is proposed to use the 1st and 3rd floors for one family, and the 2nd floor for an additional family; to provide a new stairs, a new bathroom on the 1st floor and a kitchen on the 2nd floor, as shown on plans filed; the owner of the building will occupy the 1st and 3rd floors; and

WHEREAS, the applicant contends that the house is at present too large for owner's family, that the neighborhood has changed and large houses are not in demand for renting in this locality.

Resolved, that the decision of the borough superintendent of buildings, in acting on Alt. Applic. No. 7939-38, be and it hereby is *modified,* and that the appeal be and it hereby is *granted on condition* that the building shall not be further extended and the lot shall not be reduced, other than as shown on plans filed with this appeal; that the building shall at no time be used for more than two families and an agreement signed and sworn to by the owner shall be filed with the building superintendent to this effect; that the first and third floors may be occupied for one family and the second floor occupied by one family; that a second means of exit from the third story shall be

provided, which may consist of an exterior steel ladder from the second floor to a porch at the rear from which access to the ground may be had by means of an extension or counter-balanced ladder and that in all other respects the building shall comply with all other requirements of the building code relative thereto.

1058-38-A.

APPLICANT—Maurice G. Uslan, for Palace Roller Rink, lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—2 and 4 Sand street, north side, 241.17 ft. east of Bay street and 24 Wave street (Block No. 489, Lot No. 19), Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: Maurice G. Uslan.

For Administration A. B. Comins, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1058-38-A)

WHEREAS, Maurice G. Uslan, for Palace Roller Rink, lessee, filed November 23, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises 2 and 4 Sand street, north side, 241.17 ft. east of Bay street and 24 Wave street (Block No. 489, Lot No. 19), Stapleton, Borough of Richmond; and

WHEREAS, the decision of the borough superintendent dated November 16, 1938 on Alteration Application No. 1286-38 reads:

"Your application, Alteration No. 1286/1938 filed on October 24, 1938 by Maurice G. Uslan, Architect, to alter premises 24 Wave street, Stapleton, Borough of Richmond for use as a roller skating rink is hereby denied, as building exceeds allowable area (5,000 sq. ft.) for non-fireproof public building, being contrary to Section 4.2.1 of the building code."

and

WHEREAS, the building is 2 stories (24 ft.) in height, 65 ft. by 158 ft. in area on first floor, 40 ft. by 58 ft. in area above, of non-fireproof construction, located in an unrestricted use district, erected in 1924; to be occupied on first-floor—roller skating rink, boiler room, toilets and lobby—200 persons; 2nd floor, storage—10 persons; and

WHEREAS, applicant has filed a copy of certificate of occupancy No. 252, issued November 7, 1934 for premises, north side of Wave street, 500 feet east of Bay street, Block No. 489, Lots Nos. 19, 20, 21 and 22, issued on alteration application 8604-34, permitting the occupancy of the building as follows: 1st floor—1,516 persons—boxing and shows, public exhibitions; 2nd floor, office—1 person, and

WHEREAS, the applicant contends that the owners are unable to rent the premises formerly occupied as a public garage for more than five vehicles and then as a public exhibition building; that the property has been vacant for some time and cannot yield a fair return through its present permitted use, for which there is no demand; that the proposed change of occupancy would not deteriorate the neighborhood and the building facing on two streets will have adequate means of egress for the protection of the expectant number of occupants, approximately 200 people; that the building has a brick dividing wall between the former garage section which will now be used as a skating rink and a two story extension facing Sand street; that the west side of the building faces railroad property throughout its entire length; that between the skating rink portion and lobby there will be a fire wall with two 3 ft. 8 in. wide, fireproof automatic sliding doors and also Kalemein fire-proof self-closing swinging doors and the small 2 ft. 0 in. by 2 ft. 0 in. wicket opening from skating room will have fusible link fire-proof self-closing sliding doors on each side of wall.

Resolved, that the decision of the borough superintendent acting on Alt. Applic. No. 1286-38 be and it hereby is *modified* and that the appeal be and it hereby is *granted*, permitting the 1st story of the building to be used for a roller skating rink, as proposed, *on condition* that the doors separating the main portion of the rink from the lobby and other accessories shall be separated by an 8-inch brick wall extending to and through the roof with all openings therein protected with fireproof, self-closing doors; that exit shall be maintained at all times to Wave street; that the second story portion of the building on Sand street shall be used solely for storage of incombustible materials; that all existing certificates of occupancy shall be surrendered and a new certificate of occupancy issued for the use herein permitted; that in all other respects the building shall comply with all laws, rules and regulations applicable to its construction and occupancy; that the boilerroom shall be separated from the balance of the building by fireproof construction and enterable only from the exterior of the building.

1070-38-A.

APPLICANT—Charles P. Engelhardt, for Leslie P. Engelhardt, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED — 2016-2020 Glenwood road, south side, 50 ft. west of East 21st street (Block No. 7548, Lot No. 46), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles P. Engelhardt.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1070-38-A)

WHEREAS, Charles P. Engelhardt, for Leslie P. Engelhardt, owner, filed November 26, 1938, an appeal from a decision of the acting borough superintendent of buildings affecting premises 2016-2020 Glenwood road, south side, 50 ft. west of East 21st street (Block No. 7548, Lot No. 46), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, Department of Housing and Buildings, on Alteration Application 17738-38, dated November 23, 1938, reads:

"1. Proposed change of occupancy of present frame dwelling from one family to two families inclusive of attic for dwelling use is contrary to 8.7.2.1 of Code."

and

WHEREAS, the building is 2 stories and attic (30 ft.) in height, 25.42 ft. by 46.38 ft. in area, of frame construction, located on a lot 50 ft. by 100 ft. in area, in a residence use, "E" area district, erected in 1899 and occupied as one family dwelling throughout. It is proposed to alter the present building so as to occupy the first floor for one family and the second and attic floor for one family; and

WHEREAS, the applicant contends that the first story will be completely separated from the upper portion of the building; that the attic rooms are existing and the only change proposed consists of enclosing the front of the present open clothes closet; that no increase in height or area is proposed.

MINUTES

Resolved, that the decision of the borough superintendent acting on Alt. App. 17738-38, Objection No. 1, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* permitting the occupancy as proposed, provided at no time shall the building be occupied by more than two families, one family on the first floor and one on the second floor and attic, *on condition* that an agreement signed by the owner and properly acknowledged shall be filed with the superintendent of buildings that at no time shall the building be occupied other than as herein permitted; that there shall be a second means of exit provided from the attic story, which may be an exterior steel ladder from the attic story to the 2nd story and thence to the ground by means of a drop or counterbalanced ladder; that in all other respects the building and occupancy shall comply with all the requirements of the Code relating thereto; that the building shall not be increased in height and area and that the lot on which the building is now situated shall not be reduced.

696-38-A.

APPLICANT—George G. Miller, for Roosevelt Heights Estates, Incorporated, owner.

SUBJECT—Application for consideration — reopening — amendment—re appeal from a decision of the borough superintendent of buildings (previously granted by the board).

PREMISES AFFECTED—West side of 75th street between Roosevelt avenue and 37th road (Block No. 1285, Lot No. 71), Jackson Heights, Borough of Queens.

APPEARANCES—
For Applicant: George G. Miller.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(696-38-A)

WHEREAS, George G. Miller for Roosevelt Heights Association, owner, filed August 5, 1938, an appeal with the Board of Standards and Appeals from a decision of the borough superintendent of buildings affecting premises, west side 75th street, between Roosevelt avenue and 37th road (Block No. 1285, Lot No. 71), Jackson Heights, Borough of Queens; and

WHEREAS, the decision of the borough superintendent of buildings rendered on New Building Application 6544-1937, reads:

> Item 1. An 8 in. brick wall built between piers as shown will be accepted if its height from foundation wall to the top of roof boards does not exceed 13 ft.
>
> 3. Your request to omit fire-proof enclosure of cellar stairs is denied.
>
> 5. Your request to use an 8 in. parapet wall will be accepted, if the building can be erected of 8 in. walls, parapet walls must be 2 ft. above the roof.
>
> 6. Your request to construct store front bulkheads of wood is denied.

and

WHEREAS, the proposed building is non-fireproof, one story in height, 100 by 81.68 ft. in area, to be occupied as follows: Cellar—storage; 1st story—stores; located in a business use district; and

WHEREAS, this appeal was granted by the board August 16, 1938, on certain conditions and applicant requests an amendment of the resolution.

Resolved, that the decision of the borough superintendent as to Application No. 6544-37, objections 3 and 6, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the cellar stairs provided shall be solely for the individual use of each store; that the cellar of each store shall be separated from that adjoining by means of fire resisting partitions not less than 3 in. in thickness, that the bulkheads, if constructed of wood, shall be protected on the exterior by incombustible material, that objection No. 5 shall be complied with, and that the appeal as to item No. 1 be and it hereby is withdrawn.

Resolved further, that in the event the cellar is divided into areas so as to provide cellar space under each store, and such areas are separated from one another by partitions of fireproof materials consisting of gypsum blocks not less than 3 inches in thickness, the second means of exit from such areas may be omitted, provided a stairway is constructed from each area leading from the store to which such area is assigned to the street.

MATERIALS SUBMITTED FOR APPROVAL

230-38-SM.

APPLICANT—United States Gypsum Company, owner.

SUBJECT—Approval of Pyrobar Short Span Gypsum Roof Tile manufactured by United States Gypsum Company.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(230-38-SM)

WHEREAS, the United States Gypsum Company, owner, filed April 7, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Pyrobar Short Span Gypsum and Roof Tile; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests was as follows:

REPORT OF COMMITTEE ON TEST

November 28, 1938.

Re.: Cal. No. 230-38-SM.
Subject: Pyrobar Short Span Gypsum Tile.

The U. S. Gypsum Co. of New York City filed on April 7, 1938 an application with the Board of Standards and Appeals for approval of their tile known as Pyrobar Short Span Gypsum Tile under section C26-619.0 sub. b A.C. (10.3.1.BC) for use on horizontal and sloping roofs directly above the roof trusses.

U.S.G. Pyrobar Short Span Gypsum Tile are made of gypsum conforming to the A.S.T.M. Requirement C26-33. The various types of Pyrobar Short Span Gypsum Tile are reinforced as follows:

Type	*Reinforcements*
3″ Hollow 3″ Solid 3½″ and 4″ Hollow	2⅜″ reinforcing channels No. 12 and No. 14 gauge electric welded galvanized wire mesh 4½″ x 4⅛″

The Pyrobar Short Span units are manufactured in the following sizes:

a. 3″ Hollow—3 in. thick by 12 in. wide and 30 in. long, having four cores tapering from 1⅞″ in. in diameter to 1¾ in.
b. 3″ Solid—3 in. thick by 12 in. wide and 30 in. long.
c. 3½″ Hollow—3½ in. thick by 12 in. wide and 30 in. long, having four cores tapering from 1⅞ in. in diameter to 1¾ in.

d. 4" Hollow—4 in. thick by 12 in. wide and 30 in. long, having three cores tapering from 2.57 in. in diameter to 2.45 in.

The Pyrobar Short Span Gypsum Tile were subjected to load tests at Columbia University under the direction of Prof. W. J. Krefeld, Director, Engineering Materials Laboratory under the provisions of C26-626.0 AC (10.3.8 BC) for a simple span. A copy of this test is filed with the application.

Three specimens of 3 in. hollow tile were tested resulting in an average of 1,570 lbs. load and an average deflection of .385 in. over an area of 2.5 sq. ft. A similar test of the 3 in. solid tile was made with an average of 1,020 lbs. load over an area of 2.5 sq. ft.

Tests were also made on 4 in. hollow tile, the average load of 5 specimens tested 1,618 lbs. area 2.5 sq. ft. and on the 3½ in. hollow tile the average load of 5 specimens was 1,486 lbs. over an area of 2.5 sq. ft. All of these tests were made on the basis of a maximum span of 2 ft. 6 in. and tested to meet the requirements of C26-626.0 AC (10.3.8 BC) for a simple span with values converted to those for a uniformly loaded span.

On the basis of these load tests, it is recommended that Pyrobar Short Span Gypsum Tile for 2 ft. 6 in. spans be allowed the following total loads:

3" Solid	100 lbs.
3" Hollow	100 lbs.
3½" Hollow	120 lbs.
4" Hollow	135 lbs.

Approval is recommended under C26-619.0, Administrative Code (10.3.1. BC), for roofs of Class 1 and Class 2 construction where the fire protective covering is permitted to be omitted from roof trusses as provided in C26-618.0, Administrative Code (10.2.8 BC).

It is further recommended that these tiles shall be labeled or marked with type of gypsum tile "U.S.G. Pyrobar Short Span Gypsum Tile (3 in. Solid), (3 in. Hollow), (3½ in. Hollow), or (4 in. Hollow)" and with the label or mark "Approved by the Board of Standards and Appeals, Cal. No. 230-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

..Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the U. S. G. Pyrobar Short Span Gypsum Roof Tile, for the uses specified and in the report, when manufactured, installed and labelled in accordance with the above report.

233-38-SM.

APPLICANT—United States Gypsum Company, owner.

SUBJECT—Approval of Tongue and Groove Gypsum Tile, 2½ inch, Types E and M, manufactured by United States Gypsum Company.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(233-38-SM)

WHEREAS, the United States Gypsum Company, owner, filed April 7, 1938, an application for approval of the material known as Tongue and Groove Gypsum Tile, 2½ inch, Types E and M; and

WHEREAS, this material was submitted to the Committee on Tests of the board for test and report; and

WHEREAS, the report of the committee was as follows:

REPORT OF COMMITTEE ON TESTS.

Cal. No. 233-38-SM.

Types E and M, Tongue and Groove 2½ in. Gypsum Tile.

The U. S. Gypsum Co. of New York City filed on April 7, 1938 an application with the Board of Standards and Appeals for approval of their tile known as Type E and Type M Tongue and Groove 2½ in. Gypsum Tile under section C26-620.0 par C. Sub. 1(b) A.C. (10.3.2.3 BC) for use as flooring or roofing in Class 2, Fire Protected Structures. Approval is also requested under C26-619.0 par b A.C. (10.3.1 BC) and as provided for in C-26-618.0 par a A.C. (10.2.8 BC) for roofs in Class 1, Fireproof Structures, and Class 2, Fire Protected Structures where the fire protective covering is omitted from roof trusses.

U.S.G. 2½ in. Tongue and Groove Gypsum Tile are made of Gypsum conforming to the A.S.T.M. Requirement C26-33, reinforced with two layers of No. 12 and No. 14 gauge galvanized electric welded wire mesh 2-3/16 in. by 4 in. spaced ⅝ in. apart for the Type E Tile, and reinforced with two ⅜ in. Cold Rolled Channels enclosed in the unit and two layers of No. 12 and No. 14 gauge galvanized electric welded wire mesh 2-3/16 in. x 4 in. spaced 1⅝ in. apart for the Type M Tile. The Type E & M units are manufactured in sizes 2½ inches thick by 10 inches wide and 6 feet in length, and in addition, the Type E unit is also manufactured 2½ inches thick by 15 inches wide and 8 feet in length. The Gypsum Tile, Types E and M were subjected to load tests at Columbia University under the direction of Prof. W. J. Krefeld, Director, Engineering Materials Laboratory, and at the plant of the manufacturer at Charlestown, Massachusetts, under the direction of The Thompson and Lichtner Co., Inc. of Boston, Mass. A copy of these tests is filed with this application. The Columbia Tests were predicated on individual tile units while the tests performed under the direction of the Thompson Lichtner Co. were based on floor panels made up of the same material.

On the basis of these tests and with specific reference to the continuous span panel of the Thompson and Lichtner Co. floor panels, it is recommended that 2½ in. Tongue and Grooved Gypsum Tile, Type E, on 3 feet spans, be allowed a total load of 135 lbs. per sq. ft., on 4 feet spans 80 lbs. per sq. ft. 2½ in. Tongue and Grooved Gypsum Tile, Type M, on 4 feet spans 135 lbs. per sq. ft. all figures based on continuous span values under C26-626.0 G.C. (10.3.8 BC).

Approval of this material is also recommended under section C26-620.0 par. C and 1(e) of the Administrative Code (10.3.2.3, sub. 2 BC) which provides for the use of a floor assembly in Class 2 Fire Protected Structures of a 2 inch reinforced Gypsum top slab for the floor when the supporting steel joists or beams are protected with at least ⅞ in. Gypsum or cement plaster on metal lath, as provided for in this section of the Code.

Whenever U.S.G. 2½ in. Tongue and Grooved Gypsum Tile is placed on steel beams, precautions shall be taken to align the top flange surface of all supporting beams in the same plane, and each beam shall be so placed as to provide adequate and level bearing for the gypsum tile flooring. No. U.S.G. 2½ in. Tongue and Grooved Gypsum Tile shall be used as a floor unless it is surfaced with a cinder concrete top or other equivalent material so as to protect against punching shear. All U.S.G. 2½ in. Tongue and Grooved Gypsum Tile shall conform to the specifications and limitations set forth herein including the proper support of the sides and ends of any gypsum tile unit not meshing with adjacent units.

It is further recommended that each of the gypsum tile as specified herein be labeled or marked type of gypsum tile "U.S.G. 2½ in. Tongue and Grooved Gypsum Tile, Type E" or "U.S.G. 2½ in. Special Tongue and Grooved Gypsum Tile, Type M" and with the label or mark "Approved by the Board of Standards and Appeals Cal. No. 233-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as 2½ in. Tongue and Groove Gypsum Tile Type E and U.S.G. Special 2½ Inch Gypsum Tile Type M for use as specified in the above report, when manufactured, installed and labelled as recommended therein.

234-38-SM.
APPLICANT—United States Gypsum Company, owner.
SUBJECT—Approval of Tongue and Groove Gypsum Tile, 3 inch, Types G and L, manufactured by United States Gypsum Company.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh ..... 4.
Negative 0
Absent 0
THE RESOLUTION—
(234-38-SM)

WHEREAS, the United States Gypsum Company, owner, filed April 7, 1938, an application with the Board of Standards and Appeals for approval of the material known as 3 Inch Tongue and Groove Gypsum Tile, manufactured by the United States Gypsum Company; and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests was as follows:

REPORT OF COMMITTEE ON TESTS

Re: Cal. No. 234-38-SM
Types G and L, Tongue and Groove 3 Inch Gypsum Tile.

The U. S. Gypsum Co. of New York City filed on April 7, 1938, an application with the Board of Standards and Appeals for approval of their tile known as Type G and Type L Tongue and Groove 3 Inch Gypsum Tile under section C-26-620.0 per c sub. 1(b) A.C. (10.3.2.3 BC) for use as flooring or roofing in Class 2, Fire Protected Structures. Approval is also requested under C26-619.0 par. b par. a A.C. (10.2.8 BC) for roofs in Class 1, Fireproof Structures, and Class 2, Fire Protected Structures, where the fire protective covering is omitted from roof trusses.

U. S. G. 3 Inch Channel Section and Solid Tongue and Grooved Gypsum Tile are made of gypsum conforming to the A.S.T.M. requirement C26-33. The 3 Inch Channel Section Tongue and Grooved Gypsum Tile, Type G, are reinforced with two 2 inch Cold Rolled Reinforcing Channels enclosed in the unit and No. 14 gauge galvanized electric welded wire mesh with seven wires running longitudinally and twenty transverse wires. The 3 Inch Solid Tongue and Grooved Gypsum Tile, Type L, are reinforced with two 1½ inch hot rolled reinforcing channels enclosed in the unit and No. 14 gauge galvanized electric welded wire mesh, with seven wires running longitudinally and twenty transverse wires.

The 3 Inch Channel Section and Solid Tongue an Grooved units are manufactured in size 3 in. thick 1 12 in. wide and 10 ft. in length. The Gypsum Til Types G and L, were subjected to load tests at Colun bia University under the direction of Prof. W. Krefeld, Director, Engineering Materials Laborator and at the plant of the manufacturer at Charlestow Massachusetts, under the direction of The Thompsc and Lichtner Company, Inc., of Boston, Mass. A co of these tests is filed with this application.

The Columbia tests were predicated on individu tile units while the tests performed under the directi of the Thompson Lichtner Co. were based on flo panels made up of the same material.

On the basis of these tests and with specific refe ence to the continuous span panel of the Thompsc and Lichtner Co. floor panels, it is recommended tha

3 Inch Channel Sections Tongue and Grooved Gy sum Tile, Type G, on 6 ft. 8 in. spans be allowed total load of 70 lbs. per sq. ft. on 5 ft. spans 120 lb per sq. ft., 3 Inch Solid Tongue and Grooved Gypsu Tile, Type L, on 6 ft. 8 in spans 60 lbs. per sq. ft., 5 ft. spans 115 lbs. per sq. ft., all figures based continuous span values, under C-26-626.0 A.C. (10.3 B.C.).

Approval is accordingly recommended under C2 619.0 par. b Administrative Code (10.3.1 BC) for roo of Class 1 and Class 2 construction where the fire pr tective covering is omitted from roof trusses as pr vided in C26-618.0 par. a Admin. Code (10.2.8 BC).

Approval of this material is also recommended u der section C26-620.0 par. c sub. 1(b) C of the A ministrative Code (10.3.2.3, sub. 2 BC) which provid for the use of a floor assembly in Class 2 Fire Pr tected Structures of a 2 inch reinforced gypsum t slab for the floor when the supporting steel joists beams are protected with at least ⅞ inch gypsum cement plaster on metal lath, as provided for in th section of the Code.

Whenever U. S. G. 3 Inch Channel Section and Inch Solid Tongue and Grooved Gypsum Tile is plac on steel beams, precautions shall be taken to align t top flange surface of all supporting beams in the sa plane, and each beam shall be so placed as to provi adequate and level bearing for the gypsum tile floori No U. S. G. 3 Inch Channel Section and 3 Inch So Tongue and Grooved Gypsum Tile shall be used as floor unless it is surfaced with a cinder concrete t or other equivalent material so as to protect agai punching shear. All U. S. G. 3 Inch Channel Secti and 3 Inch Solid Tongue and Grooved Gypsum T shall conform to the specifications and limitations forth herein including the proper support of the sic and ends of any gypsum tile unit not meshing w adjacent units.

It is further recommended that each of the gypsu tiles as specified herein be labeled or marked type gypsum tile "U. S. G. 3 Inch Channel Section Tong Gypsum Tile, Type G" or "U. S. G. 3 Inch So Tongue and Grooved Gypsum Tile, Type L" and w the label or mark "Approved by the Board of Sta ards and Appeals, Cal. No. 234-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissio
CHARLES M. BLUM,
Commissio
LESLIE V. HUBER,
Chief Engine

Resolved, that the Board of Standards and Appeals d hereby *approve* the material known as 3 Inch Tongue a Grooved Gypsum Tie for the uses specified in the ab report, when manufactured, installed and labeled in acco ance with the report.

Adjourned, 5:00 P. M.

EDWARD V. BARTON, Chief Clerk

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, October 11, 1938, as they appeared in Bulletin No. 42, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(341-38-SM)

WHEREAS, Bird and Son, Inc., owner, filed May 6, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Bird Roofing Materials Paroid and Neponset Brands, specifications 201, 202, 203 and 204; and

WHEREAS, the board under date of July 22, 1938, approved the materials known as the Bird Roofing Materials. Paroid and Neponsit, Specifications 201, 202, 203 and 204, for use in New York City, in accordance with the specifications and under the conditions set forth in the report and the applicant requested an amendment of the resolution, to include other roofings; and

WHEREAS, on October 11, 1938, the board amended the resolution, approving additional materials, on further report of the committee; and

WHEREAS, the owner requested a correction of the resolution.

Resolved, that the Board of Standards and Appeals does hereby approve the materials known as Bird Roofing Material, Paroid and Neponset, Specifications 201, 202, 203 and 204 and Bird Asphalt Roofing Shingles, Neponset Twin Thick Butt Shingle, 3 in 1 Thick Butt Shingle, Super 3 in 1 Thick Butt Shingle, Special 3 in 1 Thick Butt Shingle, American Double Twins Flat Shingles, Square Butt Type, Neponset Double Twins Flat Shingles, Square Butt Type, Giant Individual Shingles, same type, Standard Individual Shingles, same type, Lock Butt reroofing shingles, single thickness type Lock Set Shingle, Copper Clipt Shingle, Giant Individual Shingles laid by Dutch Lap Methed, American Hex Twin Shingles, Neponset Hex Twin, Special Hex Shingles 12 1-3 inch Hex Shingles, Number 100 Classification, Bird Built-Up Roofing, Specification No. 104, No. 101, 102 and 103, Number 600, Classification Bird Built-Up Roofing, Specification 603, Specification 603-12 and 103-12, Specification 604, Specification 601, Specification 602, Number 200, Classification, Specification 207, Specification 205, Specification 206, Specification 208; Number 300, Classification, Specification 303, Specification 304, Specification 301, Specification 302; Bird Mineral Surfaced Rolled Roofing, 75 lb. Mineral Surfaced Roofing, 90 lb. Mineral Surfaced Roofing, 96 lb. Slate Surfaced Roofing, Proslate Mineral Surfaced Roofing, Proslate Mineral Surfaced Roofing (19 in.)—*for use in New York City, in accordance with the specifications and under the conditions set forth in the above reports.*

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*Correction—The word "Shock" changed to "Thick" in line 5 of resolution; the word "Twin" changed to "Twins" line 8; the numbers "103" inserted in line 16, the numbers "103-12" inserted in line 18, the numbers "500" changed "200" in line 19 and the numbers "312" changed to "302" line 22 of resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, September 20, 1938, as they appeared in Bulletin No. 39, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(679-38-SA)

WHEREAS, the General Gas Light Company, owner, filed May 29, 1938, an application with the Board of Standards and Appeals for approval of the device known as Humphrey Gas Unit Heater, Models 60, 65, 85, 100, 125 and 200; and

WHEREAS, this device was submitted to the engineer of the board for investigation and report; and

WHEREAS, the report of the engineer of the board was substantially as follows:

Re: Cal. No. 679-38-SA.

Approval of the Humphrey Gas Unit Heater, Models 60, 65, 85, 100, 125 and 200.

The Humphrey Gas Unit Heater, Models 60, 65, 85, 100, 125 and 200 for use in storage and non-storage garages and aeroplane hangars, is an electrically operated gas fired unit heater, designed for space heating, It is intended to be suspended from the ceiling or between uprights with a safe distance maintained between heated parts and adjacent combustible material. When this heater is intended for installation in areoplane hangars, garages and other hazardous occupancies, the combustion chamber is entirely enclosed and is located in the lower portion of the heater and the apertures in the combustion chamber are protected by a wire gauze. Air for combustion is taken through a series of openings in the sides of a housing enclosing the bottom of the combustion chamber. From the combustion chamber the heated products of combustion enter and pass through a series of vertical radiator tubes on their way to the flue outlet located at the top of the heater. An electric motor-driven fan mounted at the back of the heater forces air between and around the radiating tubes. The heated air is then forced from the front of the heater into the room. Adjustment of the louvres at the front of the device permits the air to be deflected in the desired direction.

To operate the device the main shut-off valve installed in the gas line is opened. To light the automatic pilot a plunger located on the appliance gas valve is pushed in manually, and the pilot is lighted. The pilot flame impinges on a thermo couple, the current from which is led to an armature which holds the appliance gas valve open after the plunger has been held in for about thirty seconds. If the pilot for any reason is extinguished, the electric current from the thermo couple will fail and the gas valve will close, which shuts off all gas to the appliance. A centrifugal governor is attached to the fan motor and when the latter is set in motion by closing the electric switch, the governor will open a gas valve by means of a rocker arm linkage which supplies the gas to the burners where it will be ignited by the pilot.

The device has been approved by the Underwriters laboratories Misc. Hazard. No. 2319—Application No. 31 C 1950 and Models No. 60, 100 and 200 have been approved by the Fire Department on report dated August 13, 1931. Certificate of approval 684. The models 65, 85, 125 are simply sizes intermediate between those approved, the number representing BTU input capacity in thousands.

It is recommended that the Humphrey Gas Unit Heater Models Nos. 60, 65, 85, 100, 125 and 200 be approved for use in storage and non-storage garages, motor vehicle repair shops, airplane hangers and similar occupancies including rooms in which inflammable vapors are present and including spray rooms even though the requirements of paint spraying rules do not include such use, on condition that the unit be placed so that the bottom of the heater is placed at least 8 ft. above the floor level, located at or above the grade of the curb or roadway if there is no curb and at least 2 ft. from any combustible material, for general use in all commercial occupancies, and on condition that it be at least two (2) feet from any combustible material and be located above the grade level and the device have a label permanently affixed thereto reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 679-38-SA."

LESLIE V. HUBER,
Chief Engineer.

MINUTES

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Humphrey Gas Unit Heater, Models 60, 65, 85, 100, 125 and 200 for use as recommended in the above report, when installed, operated and labelled in accordance with said report.

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* Correction—Matter in 2nd paragraph of report deleted and matter in italics, substituted.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, November 15, 1938, as they appeared in Bulletin No. 47, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(947-38-SM)

WHEREAS, the Logan-Long Company, owner, filed October 28, 1938, an application with the Board of Standards and Appeals for approval of the Logan-Long Built-up Roofings and Asphalt Shingles; and

WHEREAS, this material was approved by the board on November 15, 1938, in accordance with the report of the committee on tests; and

WHEREAS, the owner has requested a correction in the report of the committee on tests, particularly referring to that portion of the report relative to the approval of ROLLS AND ASPHALT.

Resolved, that this portion of the report is hereby corrected to read:

ROLLS AND ASPHALT

Approval is recommended on Logan-Long Saturated Asphalt Rag Felts in weight of 12 lbs. (the use of this weight material shall be *limited* to slag or gravel roofs approved herein), also 14 lb., 15 lb. and 30 lb. felts when mopped with asphalt 180°-200° melting points with penetration 23-25 at 77° F. 100 grams for 5 seconds and when felt is saturated with asphalt having a melting point of 110° F.

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* Correction—The word "made" changed to "mopped" in the 4th line of paragraph headed ROLLS AND ASPHALT and the additional words "and when felt is saturated with asphalt having a melting point of 110° F." added at the end of said paragraph.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals, August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and he shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:—

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or equipped with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire-retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

RULES

EXTRACTS FROM CHAPTER 19, ARTICLE 18 OF THE ADMINISTRATIVE CODE OF THE CITY OF NEW YORK, RELATING TO REFRIGERATING SYSTEMS

ARTICLE 1.
General Provisions.

§C19-2.0. Definitions.

Unless otherwise expressly stated, whenever used in this chapter the following terms shall respectively be deemed to mean:

34. Refrigerating system, a combination of apparatus in which a refrigerant is circulated for the purpose of extracting heat.

(a) The parts of the system are the compressor, generator, condensor, absorber, receiver, shell type or tube type apparatus, pipes, vessels, or other parts, containing refrigerant.

(b) Direct refrigeration, a system in which the refrigerant is circulated to the substance or space refrigerated.

(c) Indirect refrigeration, a system in which brine cooled by the refrigerant is circulated to the substance or space refrigerated.

(d) Refrigerant is the chemical agent other than brine used to produce refrigeration.

(e) Irritant refrigerant, any refrigerant which when breathed attacks the throat or lungs.

(f) Hydrocarbon refrigerants, any refrigerant of the hydrocarbon class.

(g) Flammable refrigerant, any refrigerant which will burn or explode when mixed with certain proportions of air.

(h) Refrigerating machinery room, a room in which is located a refrigerating system containing refrigerant, but not including expansion coils when located in cold storage rooms or expansion coils when located in refrigerator boxes.

(i) Factor of safety, the multiple three and one-third (3⅓), the product of which and the test pressure, constitutes the probable rupture pressure.

(j) Pressure imposing element, that apparatus which draws the refrigerant from the low pressure or low temperature side of the system and discharges it into the high pressure or high temperature side of the system.

(k) Pressure limiting device, a pressure or temperature responsive mechanism for automatically stopping the operation of the pressure imposing element.

(l) Brine, any liquid which having been cooled by the refrigerating system is used for the transmission of heat.

(m) Pressure relief device, a pressure relief valve, a rupture member, fusible plug or other approved device for relieving the pressure.

(n) Pressure relief valve, a valve held shut by a spring or other means to automatically relieve pressure in excess of its setting.

(o) Rupture member, a device that will automatically rupture at a pre-determined pressure.

(p) Liquid receiver, a vessel permanently connected to system by inlet and outlet pipes for storage of a liquid refrigerant.

(q) Container, a cylinder for the shipment of refrigerant constructed to conform to the regulations of the Interstate Commerce Commission.

(r) Mixer, a vessel or device in a system for mixing the ammonia or other soluble vapor with water.

(s) Stop valve, a cut-off valve for use during normal operation.

(t) Service valve, a key-operated shut-off valve used only during shipment, installation or repairs.

(u) Fusible plug, a device having a predetermined-temperature fusible member for the relief of pressure.

(v) Public buildings, commercial buildings and residence buildings are buildings as so defined by Article 4, §6-235.0 of the Administrative Code of the City of New York.

(a) **Public Buildings.** Public buildings are structures or parts of structures in which persons congregate for civic, political, educational, religious or recreational purposes, or in which persons are harbored to receive medical, charitable or other care or treatment, or in which persons are held or detained by reason of public or civic duty, or for correctional purposes, including among others, court houses, schools, colleges, libraries, museums, exhibition buildings, lecture halls, churches, assembly halls, lodge rooms, club houses with more than five sleeping rooms, dance halls, theatres, bath houses, hospitals, asylums, armories, fire houses, police stations, jails and passenger depots.

(b) **Residence Buildings.** Residence buildings are structures or parts of structures in which sleeping accommodations are provided, except such as may for other reasons be classed as public buildings, including multiple dwellings as defined in the Multiple Dwelling Law.

(c) **Commercial Buildings.** Commercial buildings are structures or parts of structures, which are not public buildings or residence buildings, including among others, office buildings, factory buildings, salesrooms (stores), markets, restaurants, warehouses, freight depots, car barns, stables, garages, motor vehicle repair shops, factories, laboratories, smoke houses, grain elevators, coal pockets, central station power plants and electric sub-stations.

ARTICLE 3.
Bonds and Fees.

§C19-24.0. Fees for Permits.

Applicants for permits under the provisions of this chapter shall pay annual fees as follows:

35. Refrigerating systems:

Class A systems	$20.00
Class B systems	10.00
Class C systems containing over six pounds of refrigerant	5.00
Class C systems containing six pounds or less of refrigerant	1.00

ARTICLE 18.
Refrigerating Systems.

C19- 96.0. Permits.
C26-214.0. Supervision.
C19- 97.0. Classification.
C19- 98.0. Permissible locations.
C19- 99.0. Refrigerating machinery rooms and ventilation.
C19-100.0. Open flames and electrical equipment.
C19-101.0. Testing.
C19-102.0. Piping.
C19-103.0. Safety devices.
C19-104.0. Size of safety devices.
C19-105.0. Location and discharge of safety devices.
C19-106.0. Operating precautions.
C19-107.0. Equipment diagrams.

§C19-96.0. Permits.

(a) Except as hereinafter provided in this article it shall be unlawful to maintain or operate a refrigerating system without a permit.

(b) A permit will not be required for a Class C system when maintained or operated in the residence portion of a dwelling containing not more than two families, or in the residence portions of either a tenement house or a business building.

(c) It shall be unlawful to maintain or operate any refrigerating system employing a refrigerant other than those specified in this article without a permit issued upon such conditions, consistent with the provisions of this article, as are deemed by the fire commissioner necessary in the interest of public safety.

NOTE:—The Fire Chief and Commissioner prescribed under date of April 4, 1934, the following:

1. That the refrigerants dichlorodifluoromethane, known as "Freon" ("Kinetic No. 12" also "F-12") CCl_2F_2 also dichlorotetrafluoroethane ("F-114") $C_2Cl_2F_4$ and monofluorotrichloromethane ("F-11" $CFCl_3$ are non-flammable and non-irritant, unless otherwise hereinafter provided, and shall be regulated in accordance with the provisions of Article 18 of Chapter 19 of the Administrative Code, as such, except, when used in a room or rooms in which there is an open flame or apparatus to produce an open flame, when the provisions of said article covering irritant refrigerants shall apply.

2. That refrigerating systems employing F-11; F-12 or F-114 are restricted to parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

3. That refrigerating systems employing F-11; F-12 or F-114 used for air conditioning are restricted to the indirect method except that the direct method may be used in parts of a building so specified in Section C19-98.0 (b) for refrigerants other than non-irritant and non-flammable.

4. That refrigerating systems employing F-11; F-12 or F-114 shall not be installed or maintained in or on the stairways, halls, lobbies, entrances, exits or auditoriums of any building.

5. That refrigerating systems employing F-11; F-12 or F-114, shall not be installed or maintained in a hospital, unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame shall be employed, except that the Class "C" system containing not more than 10 pounds of refrigerant may be used in a diet kitchen which shall be cut off from the rest of the building by a tight fitting self-closing door or doors and provided with a window or windows to the outside air. All open flames, and/or apparatus for producing an open flame, in diet kitchens where these refrigerants are used shall be vented to the outside air as herinafter required in Paragraph 8.

6. That refrigerating systems employing F-11; F-12 or F-114 may be installed or maintained in a hospital private room, having tight partitions and tight fitting self-closing door or doors and where not more than two persons are helpless and/or given medical treatment, provided there is no open flame and/or apparatus for producing an open flame in such room and when the system contains not more than 10 pounds of refrigerant.

7. That a refrigerating system employing F-11; F-12 or F-114 shall not be installed or maintained in a theatre and/or motion picture theatre unless the entire system is confined in a fireproof machinery room, used for no other purpose, and in which no open flame and/or apparatus to produce such open flame shall be employed.

8. That a refrigerating system employing F-11; F-12 or F-114 when used in a room or rooms in which there is an open flame or apparatus to produce such open flame, such open flame and/or apparatus shall be provided with a hood and independent mechanical ventilation so arranged as to convey all the products of combustion to the outside of the building. This provision shall apply only to diet kitchens of hospitals and to Class "C" systems in schools, churches, dance halls, court rooms, police stations, jails, asylums, subways, passenger depots, rooms opening into passenger depots and/or subways and such other places as are deemed by the Fire Commissioner necessary in the interest of public safety.

9. That each refrigerating machinery room in any building in which F-11; F-12 or F-114 are used, shall be maintained vapor-tight and provided with tight fitting, self-closing doors, in accordance with Section C19-99.0 (a).

10. That each refrigerating machinery room in which F-11; F-12 or F-114 is used, shall be adequately ventilated directly to the outside air in accordance with Section C19-99.0 (b), 1, 2, 3 and 4.

11. Tests pressures and setting of safety valves for systems employing F-11, F-12 or F-114, shall be included in Section C19-101.0 as follows:

Refrigerant	Column No. 1	Column No. 2	Column No. 3
F-11	25	15	15
F-12	180	120	135
F-114	60	30	30

12. That the size of pressure relief valves for systems in which F-11, F-12 or F-114 is employed, shall be as follows:

Capacity of System	Number Required
Up to 30 tons	One ½ inch
30 to 60 "	One ¾ "
60 to 100 "	One 1 "
100 to 175 "	One 1¼ inches
175 to 250 "	One 1½ "
250 to 450 "	One 2 "
450 to 900 "	Two 2 "

13. That the storage of F-11, F-12 or F-114 shall conform with Section C19-106.0 (c)-5 for other refrigerants.

14. That all other sections or parts of Article 18 of the Administrative Code not so mentioned, shall be complied with.

15. That refrigerating systems employing F-11, F-12 or F-114, installed prior to May 19, 1932, shall be inspected, and if found to comply with the rules, or if in the opinion of the Fire Commissioner, the installations are of a non-hazardous character, a permit may be issued. Installations which have been made in hospitals, theatres, asylums and places of public assembly shall be made to comply strictly with these rules.

(d) A permit, where required, shall be applied for forty-eight hours after installation is completed, containing the name of the person for whom the system is installed and the place of location of the system.

(e) Only the refrigerant specified in the permit shall be used in the system.

(f) Refrigerating systems to which these provisions cannot be applied, may be maintained and operated subject to such conditions as are deemed necessary by the fire commissioner.

§C26-214.0. Refrigeration System Operators; Certificate of Qualification.

(a) It shall be unlawful to maintain or operate in any building any refrigerating system containing more than fifty (50) pounds of refrigerant except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system. Where the system contains two hundred (200) pounds or less of refrigerant and is fully automatic, only one qualified operator will be required.

(b) It shall be unlawful to maintain or operate in a public building or exhibition hall any Class C system permitted for exhibition or demonstration purposes except under the personal supervision, direction or control of either a duly licensed engineer or a person who has obtained a certificate of qualification from the superintendent to operate such a system.

(c) Upon receipt of such certificate the applicant therefor shall pay an annual license fee as follows: For the initial fee $5, and for renewal thereof the sum of $1 provided application for such renewal be made for within thirty days prior to the expiration of such certificate. Any such certificate may be revoked or suspended for cause at any time by the superintendent.

§C19-97.0. Classifications.

(a) The total amount of refrigerant common to a system operating through one or more evaporators, shall be considered the capacity of the system and determine its class.

(b) A Class A system is a system containing one thousand (1,000) pounds or over of refrigerant, or capable of thirty (30) tons capacity or over.

(c) A Class B system is a system capable of less than thirty (30) tons capacity, or containing less than one thousand (1,000) pounds of refrigerant and more the amount provided for in a Class C system.

(d) A Class C system is a system containing not more than twenty (20) pounds of refrigerant.

§C19-98.0. Permissible Locations.

(a) It shall be unlawful to install any Class A or Class B systems in any public building as defined by subdivision a of section C26-235.0 of the code, until plans have been filed with and approved by the fire commissioner, and no refrigerant shall be placed in the system until a permit has been obtained from the fire commissioner.

(b) The direct method of refrigeration shall not be used in any building, whether or not a permit is required for installation therein, outside of the refrigerating machinery room except in buildings used exclusively for ice making or for refrigerating purposes, or when such method is not carried above the first floor in business buildings, or in the business sections of business buildings provided the entire system is confined to one floor in the space occupied by a single tenant, or in the business section of a residence building when not carried above the first floor, or in a residence building occupied by not more than two families, or in any building provided a non-irritant and non-flammable refrigerant is used. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(c) It shall be unlawful to use brine in any brine circulating system that will generate flammable vapor at a temperature below 100 degrees Fahrenheit when tested in a Tagliabue open cup tester, and no refrigerant shall be used as a brine.

(d) It shall be unlawful to install or maintain a Class A system using ammonia in any building above the first floor level unless such building is used exclusively for ice making or refrigerating purposes. The provisions of this subdivision shall not apply to a building in which installation was made prior to December 13, 1927.

(e) Systems on demonstration in exhibition halls shall be limited to the unit type containing not more than ten (10) pounds of refrigerant.

(f) It shall be unlawful to install or maintain a refrigerating system employing an irritant or inflammable refrigerant in or on:

1. The stairways, halls, lobbies, entrances, exits or auditoriums of any building;
2. Dance halls, court rooms, police stations, jails, subways, theatres, or motion picture theatres;
3. Waiting or public rooms in a railroad passenger depot or rooms opening directly therein;
4. Rooms opening directly into a subway, or theatre, or motion picture theatre, or where persons are detained or confined;
5. A school unless the refrigerating system is used exclusively for instructions or research purposes;
6. A hospital or asylum in which persons are confined or given medical treatment or helpless. Unless otherwise required by this section, such refrigerating system shall be cut off from the building by unpierced fireproof construction.

The foregoing provisions do not apply to hermetically sealed unit systems containing not more than six (6) pounds of refrigerant when located in dance halls, police stations, diet kitchens of hospitals, or laboratories, and when located in rooms shut off from the rest of the building by tight partitions and tight-fitting, solid, self-closing doors and located in a room having a window to the outside air.

(g) An intermittent absorption type of refrigerating machine shall not be permitted in a Class A system. Such a type of machine shall be permitted in a Class B system only when a heating medium of low pressure steam is used in its operation.

(h) The use of methyl and ethyl chloride, sulphur dioxide, or a hydro-carbon refrigerant will not be permitted in Class A systems.

(i) A Class B system using ethyl chloride or a hydrocarbon refrigerant shall not be installed or maintained in the Borough of Manhattan or in other built-up sections of the city. Elsewhere, it shall be installed or maintained only in a fireproof building of not more than one story in height, and shall be located on the ground floor, which shall be of unpierced fireproof construction. The refrigerating machinery room shall be cut off from the rest of the building by unpierced fireproof walls of not less than eight inches (8″) of brick or six inches (6″) of reinforced concrete. Direct exit therefrom leading to the open air and not to any other part of the building shall be maintained and shall be provided with vapor-tight, self-closing, fireproof doors.

§C19-99.0. Refrigerating Machinery Rooms and Ventilation.

a. Refrigerating machinery rooms.

1. All refrigerating machinery rooms in which an irritant refrigerant is used shall be maintained vapor-tight except that all doors which open to other parts of the building shall only be required to be self-closing and close fitting, and shall be kept closed at all times, except during entrance or exit. All other openings that may permit the passage of vapor to other parts of the building shall be vapor-tight and kept closed. No opening from elevator shafts shall be permitted in the refrigerating machinery room. This provision, however, shall not apply to dumbwaiter shafts the door openings of which are protected with self-closing fire doors or to a system containing less than six (6) pounds of refrigerant. Closets solely contained within and opening only into the refrigerating machinery room shall be considered as part of the room in which it opens.

2. In Class A and Class B systems in which an irritant refrigerant is used, the doors of the refrigerating machinery rooms shall open outwardly.

b. Ventilation.

1. Each Class A, B and C refrigerating machinery room of any system shall be independently provided with means for adequate ventilation to the outer air. The ventilation shall consist of a window or windows opening directly to the open air, or mechanical means capable of exhausting the foul air from the room.

2. When a window or windows are used, if placed in opposite walls so as to provide a through air circulation to the outer air, a total area of inlet and outlet, respectively, of not less than that specified in Column D of the table in subdivision 4 shall be provided. When a window or windows are placed in one wall a total area shall be provided not less than that specified in column E of such table.

3. When mechanical means are used they shall consist of a power-driven exhaust fan of the enclosed case blower type which shall be capable of removing from the refrigerating machinery room the amount of air specified in column B of the table in subdivision 4. The inlet to the fan shall be located near the refrigerating equipment. The outlet from the fan shall terminate not less than six (6) feet above the sidewalk and in no case under a stairway or fire escape. Where air ducts are used on either the inlet or discharge side of the fan they shall each have an area not less than that specified in Column C of such table. Sharp bends in the run of the ducts shall be avoided. The control for such mechanical means of ventilation shall be easily accessible and located outside of the refrigerating machinery room.

4.

	Pounds of Refrigerant in System.	Mechanical Cu. Ft. per Minute Discharge.	Window Area Mechanical Sq. Ft. Duct Area.	Window Area in Sq. Ft. for each Opposite Side.	Window Area in Sq. Ft. for One Side Only.
	A	B	C	D	E
Up to ...	20	150	1/4	1	6
	50	250	1/3	1 1/2	12
	100	400	1/2	2	16
	150	550	2/3	2 1/2	19
	200	680	2/3	3	25
	250	800	1	3 1/2	29
	300	900	1	4	32
	400	1,100	1 1/4	4 1/2	38
	500	1,275	1 1/4	5	42

600	1,450	1 1/2	6	45
700	1,630	1 1/2	6 1/2	48
800	1,800	2	7	51
900	1,950	2	7 1/2	55
1,000	2,050	2	8	59
1,250	2,350	2 1/4	9	68
1,500	2,800	2 1/2	11	78
1,750	3,150	3	12 1/2	87
2,000	3,500	3 1/2	14	95
2,500	4,150	4	16	113
3,000	4,500	4 1/2	18	130
4,000	6,000	6	24	167
5,000	7,500	7 1/2	30	204
6,000	9,000	9	36	241
7,000	10,500	10 1/2	42	278
8,000	12,000	12	48	315
9,000	13,000	13	52	342
10,000	14,000	14	56	360
12,000	17,000	17	68	425
14,000	19,000	19	75	470
16,000	22,000	22	86	540
18,000	24,000	24	92	580
20,000	26,500	26	100	630
25,000	33,000	33	121	760
30,000	39,000	39	142	870
35,000	44,000	44	155	940
40,000	51,000	51	176	1,060
45,000	56,000	56	190	1,120

Note—Door openings leading directly to the open air shall be considered equivalent to windows for the requirements specified in columns "D" and "E" of this table.

5. Where a non-irritant or nonflammable refrigerant is employed, the requirements as given in the table in subdivision 4 may be reduced by one-half. When air or water is employed as the refrigerant no ventilation shall be required.

6. In lieu of mechanical means of ventilation in refrigerating machinery rooms where a Class A system or a Class B system using ammonia is installed, a water deluge may be provided which shall consist of a sprinkler system having open heads of not less than one-quarter inch (¼") orifice spaced not more than eight feet apart in any direction, and such system shall be located above all the refrigerating apparatus and piping in the refrigerating machinery room. Not more than one head shall be installed on a ¾-inch pipe; five heads on a 1-inch pipe; six heads on a 1¼-inch pipe. The deluge system shall be permanently connected with the main house supply or other assured source from which a constant water pressure of not less than twenty pounds per square inch can be maintained on the inlet side of the main control valve or valves at all times. The control valve or valves for such water deluge system shall be manually operated and easily accessible, and shall be labeled and located outside of the refrigerating machinery room.

§C19-100.0. Open Flames and Electrical Equipment.

a. Open flames.

No fire-flame or arc light will be permitted in a Class A or B refrigerating machinery room in which a flammable refrigerant is used.

b. Electrical equipment.

1. All Class A and B refrigerating systems containing more than fifty (50) pounds of refrigerant shall have an emergency switch controlling all of the electrically-operated refrigerating machinery or the remote control of such a switch located outside of the refrigerating machinery room where it can be quickly reached and operated in case of necessity.

2. Where the operating mechanism in any system is dependent upon electrical control, such control in a pressure limiting device shall be on a closed circuit. Nothing herein contained shall require a hand reset on an automatic type of refrigerating machine.

§C19-101.0. Testing.

Every part of any refrigerating system, except pressure gauges and control mechanism shall be tested to at least the following pressures: Class A and B systems containing over fifty (50) pounds of refrigerant shall be tested after installation and proved tight before being operated. A dated declaration of such test, signed by the tester, shall be posted in the machinery room.

Refrigerant.	Col. 1. High Pressure Side.	Col. 2. Low Pressure Side. With Safety Valves.	Col. 3. Low Pressure Side. Without Safety Valves.
Carbon dioxide	1,500	750	1,000
Ethane	1,050	520	760
Ammonia	300	150	225
Propane	250	115	175
Methyl chloride	155	80	120
Sulphur dioxide	135	100	100
Iso-butane	90	45	70
Butane	75	35	50
Ethyl chloride	30	15	25
Dichloromethane	12	12	12
Dichloroethylene	12	12	12
Trichloroethylene	12	12	12

§C19-102.0. Piping.

a. Piping.

1. All piping, liquid receivers or vessels containing the refrigerant, shall be supported on or by strong and durable materials. This provision shall not apply to Class C installations.

2. The arrangement of stop valves, relief devices, and other similar devices, when used shall be as shown on the diagram for Class A and B systems in section C19-107.0 of the code.

3. Every system which may be charged after installation shall have the charging connection located on its low pressure side.

b. Gauge glasses.

Liquid level gauge glasses, except those of the bull's eye type, shall have automatic closing shut-off valves and such glasses shall be adequately protected against injury by slotted metal casings.

§C19-103.0. Safety Devices.

a. Construction and setting.

1. Pressure relief valves, pressure limiting devices and rupture members shall be set to prevent the pressure from exceeding the test pressure. The pressure at which the device is set to function shall be indicated thereon. (See section C19-101.0 of the code, columns 1 and 2 of table.)

2. Fusible plugs shall relieve the pressure at a temperature not exceeding 280 degrees Fahrenheit.

b. Use of stop valves.

1. It shall be unlawful to locate a stop valve between a pressure relief device or pressure limiting device and the part of the system protected thereby, unless two pressure relief devices of required size are used, and so arranged that only one pressure relief device can be cut off for repair purposes at any one time.

2. A Class B system in which no stop valves are used and in which the pressure will equalize throughout the system when the pressure imposing element is not in operation may be protected by only one pressure relief device located on the high pressure side.

c. Ammonia mixer.

1. The low pressure side of a Class A ammonia system shall be provided with a hand-operated valve for discharging the ammonia into water through a mixer to the sewer in case of emergency.

2. The ammonia mixer shall be constructed of steel and shall be capable of withstanding a pressure of at least fifty (50) pounds per square inch.

3. It shall be unlawful to locate a valve in the ammonia

emergency discharge line, except for the manually-operated valve discharging into the water and ammonia mixer, but there may be one stop valve located inside the building for repair purposes only. This valve shall be sealed open and labeled "Keep Open."

4. The manually operated pressure relief valve shall be located in a locked box which can be opened by members of the Fire Department by means of a Fire Department key. The door of the box shall be on the public thoroughfare side of the building in an easily accessible location and not less than eighteen (18) inches or more than five (5) feet above the sidewalk level. The box shall be permanently labeled with letters of not less than one (1) inch reading "For Fire Department Use Only." The relief valve shall be labeled "Ammonia." A sign shall be posted within the box reading "Do Not Open Valve Until Water Is Flowing."

5. A single standard three (3) inch fire department connection shall be provided through which the necessary water may be supplied to the mixer. The fire department connection shall be located near the box and not less than eighteen (18) inches or more than twenty-four (24) inches above the sidewalk level and shall be permanently labeled having letters not less than one (1) inch high reading "To Ammonia Mixer." A check valve so set as to prevent gases from reaching the fire department connection shall be installed in the water line between the fire department connection and the water and ammonia mixer.

6. The fire department shall have sole use of the mixer and supply the necessary water.

7. In systems using over twenty-seven thousand (27,000) pounds of ammonia there shall be provided one additional water and ammonia mixer for each twenty-seven thousand (27,000) pounds of ammonia or fraction thereof so used in excess.

8. The ammonia mixer and its connection for a Class A system shall conform to the diagram in section C19-107.0 of the code.

§C19-104.0. Size of Safety Devices.

(a) The size of pressure relief valves shall be as follows:

Capacity of System.	CO_2 and Ethane, No. Req., Size.	Other Refrigerants, No. Req., Size.
Up to 30 tons.....	1—½"	1—½"
30 to 60 tons.....	1—½"	1—¾"
60 to 100 tons.....	1—½"	1—1"
100 to 175 tons.....	1—½"	1—1¼"
175 to 250 tons.....	1—¾"	1—1½"
250 to 450 tons.....	1—1"	1—2"
450 to 900 tons.....	.....	2—2"

(b) Where rupture members are permitted and used, the equivalent area of the relief valve specified must be provided.

(c) Fusible plugs may be used on all Class C systems and on all Class B systems of the hermetically sealed compression type containing not more than fifty (50) pounds of refrigerant. The free discharge opening shall be one-sixteenth (1/16) inch in diameter.

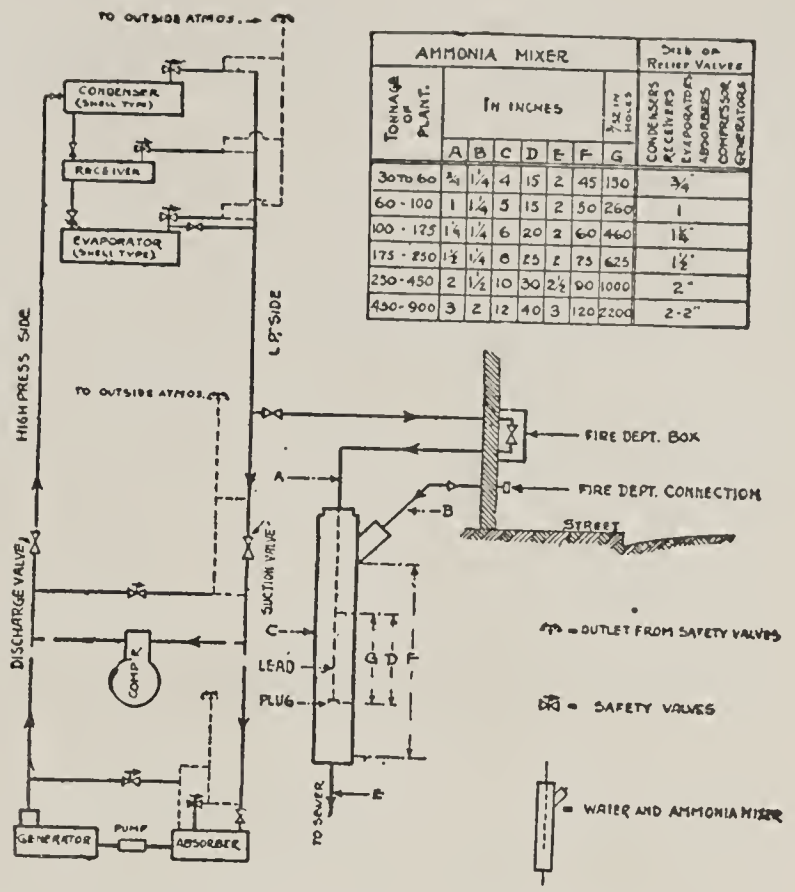
§C19-105.0. Location and Discharge of Safety Devices.

a. Location.

A pressure limiting device shall be provided on the high pressure side of each water-cooled refrigerating system containing more than six (6) pounds of refrigerant. A pressure relief valve shall be provided on the high pressure side of each water-cooled refrigerating system containing twenty (20) pounds or more of refrigerant, but it shall not be necessary to discharge the refrigerant to the outside air or water tank from any such refrigerating system containing fifty (50) pounds or less of refrigerant, any other provision of part 1, of this title, to the contrary notwithstanding.

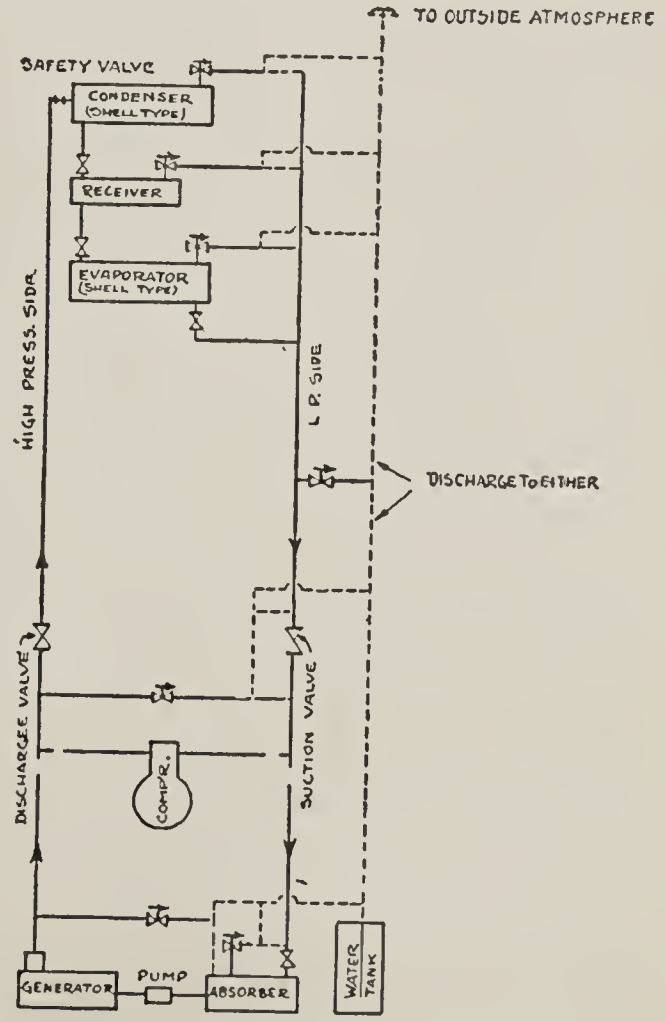
b. Location and discharge of safety devices.

1. Each compressor or generator of a Class A or B



AMMONIA MIXER								Size of Relief Valves
Tonnage of Plant.	In Inches							
	A	B	C	D	E	F	G	Condensers Receivers Evaporators Absorbers Compressor Generators
30 to 60	¾	1¼	4	15	2	45	130	¾"
60 - 100	1	1¼	5	15	2	50	260	1"
100 - 175	1¼	1¼	6	20	2	60	460	1¼"
175 - 250	1½	1¼	8	25	2	75	625	1½"
250-450	2	1½	10	30	2½	90	1000	2"
450-900	3	2	12	40	3	120	2200	2-2"

ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS 'A' EQUIPMENT
SECTION C19-107.0



ARRANGEMENT OF PRESSURE RELIEF DEVICES FOR CLASS 'B' EQUIPMENT
SECTION C19-107.0

system containing more than 100 pounds of refrigerant shall be protected by a pressure relief valve connected into the high pressure side between the main stop valve and the compressor or generator to relieve excessive pressure as hereinafter provided.

2. A rupture member may be substituted for the relief valve in CO_2 systems or systems operating below atmospheric pressure.

3. Shell type apparatus such as liquid receivers, condensers, evaporators, liquid separators and absorbers of Class A and Class B systems containing more than fifty (50) pounds of refrigerant, and Class B systems containing fifty (50) pounds or less of refrigerant which can be shut off by stop valves, shall each be equipped with a pressure relief valve, discharging as hereinafter provided.

4. Class C systems and Class B systems containing fifty (50) pounds or less of refrigerant so constructed that, when subjected to abnormal outside temperature such as that generated in a fire, they may burst due to the expansion of the refrigerant, shall be protected by a pressure relief device.

5. A pressure relief valve shall be required on the low pressure side of a Class B system into which the relief valve or valves on the high pressure side discharge, as so shown on equipment diagram of section C19-107.0 of the code.

c. Discharge of pressure relief valve.

1. Where ammonia is used in Class A systems, the discharge from relief valves must be conducted to the outside atmosphere or into that part of the low pressure side protected by the mixer as specified in subdivision C, of section C19-103.0 of the code. If it is discharged to the outside atmosphere it must be piped above the roof or not less than 12 feet above the grade. The discharge pipe shall be not less than the size of the relief valve outlet. The discharge from more than one relief valve may be run into a common header, the area of which shall be equal to the area of the pipes connected thereto. The outlet orifice shall be turned downward.

2. Where more than fifty (50) pounds of ammonia is used in a Class B system, the discharge from relief valves shall be piped to the outside atmosphere as specified for Class A systems, or to the low pressure side as shown in diagrams in section C19-107.0 of the code, or into a tank of water which shall be used for no purpose except ammonia discharge. At least one gallon of fresh water shall be provided for every pound of ammonia contained in the system. The water used shall be prevented from freezing without the use of salt or chemicals. The tank shall be substantially constructed of not less than one-eighth (⅛) of No. 11 U. S. gauge iron. No horizontal dimensions of the tank shall be greater than one-half (½) the height. The tank shall have a hinged cover or, if of the enclosed type, shall have a vent hole at the top. All pipe connections shall be through the top of the tank only. The discharge pipe from the pressure relief valves shall discharge the ammonia in the center of the tank near the bottom. The tank shall be as securely supported as any other portion of the system. There shall be no opening in the tank below the water level.

3. Where more than fifty (50) pounds of any refrigerant other than ammonia is used, the discharge from relief valves shall be to the atmosphere as specified for Class A ammonia systems. Carbondioxide may be discharged into the room if the same contains at least 10 cubic feet of capacity per pound of refrigerant used.

4. Arrangements of pressure relief devices for Class A and B systems shall conform to the diagrams in section C19-107.0 of the code.

§C19-106.0. Operating Precautions.

a. Masks and helmets.

1. In a Class A system which operates above atmospheric pressure, there shall be provided at least two helmets or masks.

2. In a Class B system in which more than fifty (50) pounds of ammonia. sulphur dioxide or other irritant refrigerant is used, there shall be provided at least one helmet or mask.

3. Only helmets or masks that have been approved by the United States Bureau of Mines as suitable for the refrigerant employed shall be used, and they shall be kept in operative condition in an easily accessible case or cabinet located immediately outside the refrigerating machinery room.

b. Signs.

1. On Class A and Class B systems containing more than fifty (50) pounds of refrigerant there shall be painted on and affixed in a permanent manner to the main steam control, main electrical and remote control switches, receivers, containers and shell type coolers, signs having letters not less than one and one-half inches (1½") high, designating the part and refrigerant contained therein.

2. The seller of every Class A or B system shall furnish the purchaser with a sign bearing his name at least 8½" by 11" in size, which gives the rated refrigeration capacity and the quantity and kind of refrigerant required for the satisfactory operation of the system. The purchaser shall conspicuously and permanently display this sign in the machinery room. The quantity and name of the proper refrigerant content and the rated refrigeration capacity shall be stamped on all Class C systems near to or on the name plate.

3. The following information shall be posted in Class A and B machinery rooms where over fifty (50) pounds of refrigerant is used: (a) The names and addresses of the engineers or operators in charge; (b) Location of nearest fire alarm box; (c) The name, address and telephone number of physician to be called in case of emergency; (d) Instructions for safely shutting down the plant in case of emergency.

c. Storage of refrigerant.

1. Refrigerant not contained in the refrigerating system shall be stored only in non-inflammable or non-irritant containers conforming to the regulations prescribed by the Interstate Commerce Commission for the transportation of such refrigerant.

2. Only two containers holding not more than a total of three hundred (300) pounds of inflammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class A system.

3. Only one container holding not more than one hundred and fifty (150) pounds of inflammable or irritant refrigerant shall be stored in the refrigerating machinery room of a Class B system.

4. In a Class C system no refrigerant other than that used in the system shall be stored in the refrigerating machinery room.

5. If a greater amount of inflammable or irritant refrigerant than that permitted in a refrigerating machinery room is desired, it shall be stored in a fireproof building or enclosure used for no other purpose.

6. When the refrigerant is withdrawn from a system it shall be discharged only into a suitable absorbent or containers conforming to the regulations of the Interstate Commerce Commission for the transportation of such refrigerant. It shall be unlawful to permit any refrigerant to escape into the refrigerating machinery room.

7. Containers shall be connected to the system only during period of charging or withdrawing the refrigerant.

§C19-107.0. Equipment Diagrams.

(See arrangement of pressure relief devices for Class A and Class B equipment.)

ARTICLE 27.
Penalties.

§C19-152.0. Violations.

Any person who shall wilfully violate or neglect or refuse to comply with any provisions of part 1, of this title, except the provisions of article twenty-six, in addition to any other penalties prescribed by law, shall, upon conviction, be punished by a fine of not more than $500, or by imprisonment not exceeding six months, or by both.

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

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TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Court Decisions.

Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting, December 6, 1938, at 10 A. M., Affecting Calendar Numbers 589-38-BZ, 39-34-BZ, 728-38-BZ, 771-38-BZ, 848-38-BZ and 957-38-BZ.

Minutes of Regular Meeting, December 6, 1938, at 2 P. M., Affecting Calendar Numbers 629-32-BZ, 307-33-BZ, 178-37-BZ, 408-38-BZ, 51-30-BZ, 384-31-BZ, 170-36-BZ, 736-38-BZ, 1128-38-GR, 1009-38-A, 1043-38-A, 1065-38-A, 1071-38-A, 1072-38-A, 1073-38-A, 1074-38-A, 1075-38-A, 1095-38-A, 1098-38-A, 1107-38-A, 31-38-A-WF, 1061-38-A, 1063-38-A, 1064-38-A, 1093-38-A, 284-37-A, 288-37-A, 331-37-A, 351-37-A, 504-37-A, 280-38-A, 650-38-A, 748-38-A, 927-38-A, 928-38-A, 935-38-A, 1024-38-A, 1025-38-A, 1039-38-A, 1054-38-A, 1068-38-A, 1088-38-A, 1090-38-A, 1091-38-A, 1097-38-A, 1099-38-A, 1104-38-A, 1106-38-A, 1109-38-A, 925-38-S, 1101-38-S, 1102-38-S, 880-28-S, 1105-22-SA, 295-29-SA, 105-34-SA, 282-37-SA, 351-38-SA, 747-38-SA, 923-38-SA and 1032-38-SM.

orrections Affecting Calendar Numbers 110-35-BZ and 939-38-A.

actory Exit Rules.
moking in Factory, Rules.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

THE LIBRARY OF THE
JAN 4 1939
UNIVERSITY OF ILLINOIS

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to December 6, 1938

Cal. No. *Department* *Premises Affected*

1093-38-A.....F.D.....150 East 14th street and 124 Third avenue, southwest corner (Block 559, Lot 32), Borough of Manhattan, 2868-L.F.

1094-38-A.....F.D.....17 Marcy aveune and 2-6 Amslie street, southeast corner (Block 2373, Lot 1), Borough of Brooklyn, 77204-L.C.

1095-38-A.....F.D.....1680 Broadway, east side, 60 ft. north of west 52nd street and 808 Seventh avenue (Block 1024, Lot 38), Borough of Manhattan, 12599-L.C. and Decision.

1096-38-A.....F.D.....41-75 Kissena boulevard, northeast corner of Sanford avenue (Block 882, Lot 1), Flushing, Borough of Queens, 701-L.F. and Decision.

1097-38-A.....F.D.....197 Broadway, north side, 124.4 ft. east of Driggs avenue (Block 2446, Lot 93), Borough of Brooklyn, 76811-C and Decision.

1098-38-A.....F.D.....12 Barclay street, south side, 238 ft. west of Broadway (Block 88, Lot 14), Borough of Manhattan, 2186-L.F.

1099-38-A.....F.D.....14 Barclay street, south side, 263 ft. west of Broadway (Block 88, Lot 14), Borough of Manhattan, 2187-L.F.

1100-38-A.....H.B.M.....1072-1076 Madison avenue and 25-27 East 81st street, northwest corner (Block 1493, Lots 13½ and 14), Borough of Manhattan, Alt. 2521-38 and Permit 3942-38.

1101-38-S.....H.B.M.....10 East 56th street, south side, 200 ft. east of Fifth avenue (Block 1291, Lot 64), Borough of Manhattan, Decision.

1102-38-S.....F.D.....659 Rockaway avenue, east side, 75 ft. south of Dumont avenue and 288 Dumont avenue (Block 357, Lots 22 and 27), Borough of Brooklyn, 91-L.F. and Decision.

1103-38-BZ.....H.B.B.....403 Howard avenue, east side, 68 ft. 2 in. north of St. Marks avenue (Block 1452, Lot 5), Borough of Brooklyn, Applic. 16150-38.

1104-38-A.....F.D.....1 53rd street, north side, 1200 ft. west of First avenue (Block 803, Lot 1), Borough of Brooklyn, Decision.

1105-38-BZ.....H.B.M.....224-230 West 18th street, south side, 325 ft. west of Seventh avenue (Block 767, Lot 56), Borough of Manhattan, Decisions.

1106-38-A.....H.B.M.....254 West 100th street, south side, 86.6 ft. east of West End avenue (Block 1871, Lot 61A), Borough of Manhattan, Alt. 3278-38.

1107-38-A.....F.D.....207 Greene street, west side, 177 ft. south of West Third street (Block 534, Lot 31), Borough of Manhattan, 957-L.F. and Decision.

1108-38-SA.....Combination Silent Check Valve, Appliance.

1109-38-A.....F.D.....533-537 West 34th street, north side, 400 ft. west of Tenth avenue (Block 706, Lots 14 and 15), Borough of Manhattan, 2354-L.F. and Decision.

1110-38-SA.....Crescent Preheater for Oil Burning Equipment, Appliance.

1111-38-A.....H.B.Q.....69-78 and 69-84 181st street, northwest corner of 73rd avenue and west side of 181st street, 750 ft. south of 69th avenue (Block 7132, Lot 16), Flushing, Queens, N.B. 7969-38 and N.B. 8879-38.

1112-38-SA.....Clearview Oil Gauge, Model CRC-725, Appliance.

1113-38-A.....H.B.Q.....41-01 to 41-16 12th street, super block bounded by 41st avenue, 21st street, Bridge Plaza north and 12th street (Block 463, Lot 182 and Block 464, Lot 114), Long Island City, Borough of Queens, N.B. 9852-38.

1114-38-A.....H.B.Q.....41-01 to 41-16 12th street, super block bounded by 41st avenue, 21st street, Bridge Plaza North and 12th street (Block 463, Lot 182 and Block 464, Lot 114), Long Island City, Borough of Queens, N.B. 9852-38.

1115-38-A.....F.D.....1520-1522 Jessup avenue, east side, 194 ft. north of East 172nd street (Block 2872, Lots 285 and 286), Borough of The Bronx, Order No. 23-38 and Decision.

CALENDAR

1116-38-SM.....“Populit” for partitions and sound - proofing, manufactured by S.A.F.F.A. Soc. An. Fabbriche Fiammeri ed Affini, Milano, Italy (G. Brugnano, U.S. Representative), Material.

1117-38-A.....H.B.Bx.....1292 Southern boulevard, east side, 100 ft. north of Freeman street (Block 2980, Lot 5), Borough of The Bronx, E.S. 698-38.

1118-38-A.....H.B.Q.....59-83 59th street, east side, 272 ft. 6 in. south of 59th drive (Block 2649, Lot 135), Maspeth, Borough of Queens, N.B. 9208-38.

1119-38-BZ.....H.B.M.....137-141 Cherry street, south side, 196 ft. east of Catherine street (Block 250, Lots 75-77), Borough of Manhattan, Decision.

1120-38-SM.....Fischer Column (Steel shell concrete - filled Columns), manufactured by Fischer Column Company, Material.

1121-38-A.....H.B.Q.....12-02 to 12-32 40th avenue, super block bounded by 40th avenue, 21st street, 41st avenue and 12th street (Block 467, Lots 510 and 544 and Block 468, Lot 457), Long Island City, Borough of Queens, N.B. 5845-38.

1122-38-A.....H.B.Q.....10-02 to 10-30 40th avenue, super block bounded by 40th avenue, 12th street, 41st avenue and 10th street (Block 469, Lot 415 and Block 470, Lot 375), Long Island City, Borough of Queens, N.B. 6535-38.

1123-38-A.....H.B.Q.....10-02 to 10-30 41st avenue, super block bounded by 41st avenue, 12th street (41st road), a proposed street and 10th street (Block 465, Lot 35 and Block 466, Lot 35), Long Island City, Borough of Queens, N.B. 6536-38.

1124-38-A.....H.B.Q.....8-02 to 8-32 40th avenue, super block bounded by 40th avenue, 10th street, 41st avenue and Vernon boulevard (Block 478, Lots 1 and 22-27 inclusive and Block 479, Lot 1), Long Island City, Borough of Queens, N.B. 6537-38.

1125-38-A.....H.B.Q.....8-02 to 8-36 41st avenue, super block bounded by 41st avenue, 10th street, Bridge Plaza North and Vernon boulevard (Block 480, Lot 1 and Block 481, Lots 1-7 inclusive and 8, 12, 16, 36, 55 and 63), Long Island City, Borough of Queens, N.B. 6533-38.

1126-38-A.....F.D.....477-483 Tenth avenue, southwest corner of West 37th street (Block 708, Lots 35 and 37), Borough of Manhattan, 1720-L.F. and Decision.

1127-38-BZ.....H.B.B.....2201-2227 Neptune avenue, north side between West 22nd street and West 23rd street (Block 6990, Lot 26), Borough of Brooklyn, Alt. 18037-38.

1128-38-GR.....Interpretation of Art. IV, Section 16a relating to “F” and “G” Area Districts, General Resolution.

Restored to Calendar

307-33-BZ.....H.B.B.....1754-1766 Coney Island avenue, west side, 180 ft. south of Avenue N (Block 6592, Lots 16 and 18), Borough of Brooklyn, Applic. 17486-37.

31-38-A-WF....H.B.Q.....112-01 to 112-09 Queens boulevard, 75-01 to 75-09 112th street, northeast corner and 112-16 to 112-40 75th avenue (Block 1363, Lot 79), Forest Hills, Borough of Queens, Alt. 9132-38.

408-38-BZ.....H.B.Q.....72-01 Astoria boulevard (Grand Central Parkway Extension), northeast corner of 72nd street (Block 1004, Lot 52), Astoria, Borough of Queens, Applic. 1926-38.

COURT DECISIONS

Central Savings Bank et al, ap., vs. The City of New York, Alfred Rheinstein, as Commissioner of Housing and Buildings, et al, res.

This is an appeal to the Court of Appeals from a judgment of the Appellate Division, First Department, which granted a judgment to the defendants on an agreed state of facts, to test the constitutionality of the Multiple Dwelling Law, subdivision 6 of section 309 (g)—as amended by Chapter 353 of the Laws of 1937, which empowered the Board of Assessors to assess against tenement property the cost of repairs certified by the Department of Housing and Buildings as having been done with money advanced by the City, as a first lien on said property taking priority over existing mortgages.

The Court of Appeals held:

“His (the mortgagee’s) property is thus taken without due process of law (State Const., art. 1, sec. 6), and the obligation of his contract with the mortgagor impaired, contrary to the provisions of Article 1, section 10, of the United States Constitution.”

* * * *

“By section 235 of the Banking Law (subd. 6) savings banks may invest to an amount not exceeding 60 per centum of the appraised value of any real property.”

After reciting that the mortgagee receives no notice under this new amendment to section 309 the Court of Appeals further stated:

“The rights of the mortgagee, however, go much further than to require the mere service of notice and an opportunity to be heard. No lien under this law can be placed upon the property which supersedes the lien of the mortgage. The situation * * * of the owner and that of the mortgagee are entirely different. Whatever improvements or changes the owner may make at his

CALENDAR

own expense to enable him to continue the property as a multiple dwelling, would not and could not take precedence over the first mortgage. * * * How can the city, because it advances the funds for such a purpose, obtain such a preference? * * * If the building is dangerous or unsuitable, the city, in the interest of the public health or welfare, may close it up or restrict its use, or even, where dangerous, demolish it; but it cannot compel the owner to keep it for a specific use. * * * The courts below took the position that because the word 'assessment' was used in this law, the expenses charged against the property were in the nature of a tax. This cannot be for the reason that the charges upon the real estate were optional with the owner. * * * A tax is a forced charge levied by the State upon persons or property. * * * The legislature cannot create a tax by calling it an assessment when it has not the elements or substance of a tax. * * *

We, therefore, reverse the judgment below and direct judgment for the plaintiffs, declaring that any lien imposed upon the respective premises for the expenses of making alterations or repairs in accordance with the order of the Department of Housing and Buildings shall at all times be subject and subordinate to the plaintiff's respective mortgage liens."

Opinion by Mr. Justice Crane, Ch. J.; Lehman, O'Brien, Hubbs, Loughran, Finch and Ripley, J.J., concur. (Dec. 6, 1938).

* * *

Matter of Frederick Small, res., vs. Paul Moss, as Commissioner of Licenses, ap. Commissioner Moss refused a license for a motion picture theatre on Riverdale avenue, between 235th and 236th streets, Bronx, on the ground that proof has been presented that the erection of a theatre at the proposed location would increase the pedestrian and vehicular traffic so as to create a condition dangerous to the traveling public, and that the noise, traffic congestion and attendant parking problem resulting from the erection of a theatre at the proposed location would be a serious detriment to the general welfare, public health and safety of the community.

Mr. Justice Dore in the Supreme Court denied an order for mandamus compelling the Commissioner to grant the license; but was reversed by the Appellate Division, First Department.

The Court of Appeals stated: "The question then is, as the Appellate Division pointed out, 'whether the creation of a traffic hazard was a ground which the commissioner might consider in denying a license,'" and held:

"We do not read into the statute restrictions upon any power granted in general terms to the Commissioner. We say that no undefined general power has been or could be conferred upon the Commissioner, and neither by express language nor by fair implication has power been conferred upon the Commissioner to withhold a license for a theatre where the applicant is of good character, where the proposed theatre at that location would violate no provision of law and no rule or regulation of a department charged with the protection of the health or safety of the people of the city."

Order affirmed. Opinion by Mr. Justice Lehman. Crane, Ch.J., O'Brien, Hubbs Loughran, Finch and Ripley, J.J., concur. (Dec. 6, 1938).

* * *

Matter of Barr (Murdock)—On June 8, 1937, board affirmed decision of Superintendent of Buildings in permitting erection of apartment house in an "F" area district and accepting connections to former private sewer (subsequently taken over by city and connected to Sheepshead Bay public sewer) as compliance with the law, also denied application for revocation of permit, Cal. No. 232-37-A, premises 301-323 Oriental boulevard, Manhattan Beach, Brooklyn, on the ground that the zoning law does not prohibit erection of apartment house in an "F" area district where the restrictive requirements are complied with and that the sewer connections provided complied with the Multiple Dwelling Law as to street sewer. Mr. Justice Smith sustained the board (N.Y.L.J., Dec. 8, 1938) in its interpretation of the law and also stated "It is neither the right nor the duty of the court to substitute its judgment for that of the persons charged with the responsibility for the conduct of public affairs."

* * *

Matter of D. A. F. Realty Corpn. vs. Murdock—On January 4, 1938, board denied reopening for the purpose of modifying resolution previously adopted as to limitation on store use; Cal. No. 110-35-BZ, premises 2206-10 Grand Concourse, The Bronx. Mr. Justice Frankenthaler sustained board (N.Y.L.J., Dec. 9, 1938).

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules	Nov. 15, 1938—Vol. 23, No. 46
Certificate of Occupancy, approved form	Aug. 23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Dec. 13, 1938—Vol. 23, No. 50
Fire Alarm Rules (Interior)	Oct. 4, 1938—Vol. 23, No. 40
Fire Drill Rules	Nov. 22, 1938—Vol. 23, No. 47
Fire Retarding Rules for Garages, etc.	Nov. 8, 1938—Vol. 23, No. 45
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Nov. 1, 1938—Vol. 23, No. 44
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 1
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Oil Burner Rules	Nov. 8, 1938—Vol. 23, No. 45
Paint, Varnish and Lacquer Spraying Rules	Sept. 13, 1938—Vol. 23, No. 37
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Dec. 6, 1938—Vol. 23, No. 49
Smoking in Factories, Rules for	Dec. 13, 1938—Vol. 23, No. 50
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves	Nov. 8, 1938—Vol. 23, No. 45
Fuel Oil Burners for Domestic and Commercial Use	Aug. 30, 1938—Vol. 23, No. 35
Fuel Oil Fill Pipe Terminals	Nov. 1, 1938—Vol. 23, No. 44
Fuel Oil Burners for Industrial Use	Aug. 30, 1938—Vol. 23, No. 35
Fuel Oil Pumps	Nov. 8, 1938—Vol. 23, No. 45
Paint, Varnish and Lacquer Spraying Equipment	Sept. 13, 1938—Vol. 23, No. 37
Range Oil Burners and Space Heaters	Aug. 9, 1938—Vol. 23, No. 32

DECEMBER 13, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December* 13, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 94-38-BZ—Application, February 16, 1938, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Jeho Co., Inc., owner (Jamaica Parking Co., Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-02 to 89-12 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

CAL. NO. 478-38-BZ—Application, June 10, 1938, under section 7h of the building zone resolution, of James Ellswick, applicant and lessee, on behalf of Estate of Emily K. Goodwin, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 252-256 Dyckman street, southeast corner of Payson avenue (Block No. 2246, Lot No. 55), Borough of Manhattan.

CAL. NO. 772-38-BZ—Application, August 26, 1938, under sections 7a, 7c and 21 of the building zone resolution, of Morton E. Bleich, applicant, on behalf of Henry Phipps Estates, owner (Ross-Frankel, Inc., lessee), to permit in a residence use district the erection and maintenance

CALENDAR

of a business and factory building; premises 281-289 Ninth avenue and 402-414 West 27th street, southwest corner (Block No. 724, Lot No. 36), Borough of Manhattan.

CAL. NO. 774-38-BZ—Application, September 7, 1938, under section 21 of the building zone resolution, of Giaccone and Richards, applicants, on behalf of Hungarian Society of New York, owner, to permit in a residence use district the erection and maintenance of a business building; premises west side of Cypress Hills street, 150 ft. inside of premises and 500 ft. north of Interboro parkway (Block No. 3750, Lot Nos. 280 and 290), Glendale, Borough of Queens.

CAL. NO. 803-38-BZ—Application, September 20, 1938, under section 7h of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Estate of Leopold Rossbach, owner (Laurence B. Rossbach, trustee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3901-3911 White Plains avenue, northwest corner of East 222nd street (Block No. 4824, Lot Nos. 4 and 7), Borough of The Bronx.

CAL. NO. 830-38-BZ—Application, September 29, 1938, under sections 7a and 21 of the building zone resolution, of Koch and Wagner, applicants, on behalf of Louis Lachter, owner (H. C. Bohack Co., Inc., lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of an auto laundry on an existing gasoline service station; premises 61-52 to 61-64 Woodhaven boulevard and 61-09 to 61-21 Dry Harbor road, southwest corner (Block No. 2950, part of Lot No. 1), Elmhurst, Borough of Queens.

CAL. NO. 873-38-BZ—Application, October 11, 1938, under section 21 of the building zone resolution, of Edward Necarsulmer, applicant, on behalf of Congregation Emanu-El (Salem Fields Cemetery), owner, to permit in a residence use district the erection and maintenance of two (2) business buildings; premises 67-18 Interborough parkway, south side, 83.70 ft. west of Cypress Hills street (Block No. 3740, Lot No. 250), Glendale, Borough of Queens.

CAL. NO. 869-38-BZ—Application, October 7, 1938, under section 7b of the building zone resolution, of Alexander A. Forman, 3rd, applicant, on behalf of Higbie Springfield Corporation, owner, to permit in a residence use district, extending from a business use district, the exit from a place of public assembly (bowling alleys); premises 116-51 219th street and 219-01 Linden boulevard, northeast corner (Block No. 2153, Lot Nos. 6 to 10, inclusive), St. Albans, Borough of Queens.

CAL. NO. 148-36-BZ—Application of Arthur Epstein, lessee (Bowery Savings Bank, owner), reopened November 22, 1938 for consideration as to extension of permit—re application, previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the maintenance of a parking lot for the storage of more than five (5) motor vehicles; premises 1083-1087 Hall place and 856-864 East 167th street, southwest corner (Block No. 2691, Lot No. 86), Borough of The Bronx.

CAL. NO. 589-38-BZ—Application, July 8, 1938, under sections 7h and 21 of the building zone resolution, of Jay Emanuel, applicant, on behalf of Franklin Savings Bank, in the City of New York, owner, (Jacob A. Goldstein and May Harris, lessees), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 303 West 51st street, north side, 58 ft. 10½ in. west of Eighth avenue (Block No. 1042, Lot No. 28½ and part of Lot Nos. 29, 30, 30½, 31, 32, 33, 33½ and 34), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 13, 1938, 2 P. M.

Appeals from Administrative Orders

981-38-A—2130-2140 Rockaway parkway, southeast corner of Schenck avenue (Block No. 8331, Lot No. 1), Borough of Brooklyn.

1043-38-A—859 Westchester avenue, north side, 242 ft. east of Prospect avenue (Block No. 2690, Lot No. 10), Borough of The Bronx.

1065-38-A—39 Union Square West, west side, 31 ft. 6 in. south of East 17th street (Block No. 844, Lot No. 25), Borough of Manhattan.

1071-38-A—Bush Building No. 51, between 47th street and 48th street (Block No. 725, Lot No. 1); (River front), Borough of Brooklyn.

1072-38-A—Bush Building No. 52, between 47th street and 48th street (Block No. 725, Lot No. 1); (River front), Borough of Brooklyn.

1073-38-A—Bush Building No. 53, between 47th street and 48th street (Block No. 725, Lot No. 1); (River front), Borough of Brooklyn.

1074-38-A—Bush Building No. 54, between 47th street and 48th street (Block No. 725, Lot No. 1); (River front), Borough of Brooklyn.

1075-38-A—Bush Building No. 55, foot of 49th street (Block No. 725, Lot No. 1); (River front), Borough of Brooklyn.

1098-38-A—12 Barclay street, south side, 238 ft. west of Broadway (Block No. 88, Lot No. 14), Borough of Manhattan.

850-38-A—North side of Walling street, 100 ft. east of Northern boulevard (rear of lot); (southeast corner of Sybilla street and Viola place); (Block No. 3895, Lot No. 1), Forest Hills, Borough of Queens.

851-38-A—East side of Northern boulevard, 92 ft. north

CALENDAR

of Walling street (Block No. 3895, Lot No. 29), Forest Hills, Borough of Queens.

852-38-A—North side of Walling street, 100 ft. east of Northern boulevard (front of lot); (northwest side of Walling street and Wanda place); (Block No. 3895, Lot No. 1), Forest Hills, Borough of Queens.

853-38-A—Northwest corner of Walnut street and 71st (Continental) avenue (Block No. 2805, Lot No. 1), Forest Hills, Borough of Queens.

854-38-A—90-20 70th drive (Wanda place), east side, 353 ft. 5 in. south of Metropolitan avenue (east side of Wanda place, 350 ft. south of Metropolitan avenue); (Block No. 3896, Lot No. 56), Forest Hills, Borough of Queens.

855-38-A—North side of Walling street, 150 ft. east of Northern boulevard (north side of Walling street, 180 ft. east of westerly lot line); (Block No. 3895, Lot No. 34 and part of Lot No. 35), Forest Hills, Borough of Queens.

856-38-A—North side of Walling street, 200 ft. east of Northern boulevard (northwest corner of Walling street and Wanda place); (Block No. 3895, Lot No. 35), Forest Hills, Borough of Queens.

1049-38-A—591 Washington street, east side, 75 ft. north of Clarkson street and 610 Greenwich street (Block No. 601, Lot No. 29), Borough of Manhattan.

1017-38-A—4750 Third avenue and 441 East 189th street, northeast corner (Block No. 3033, part of Lot No. 53), Borough of The Bronx.

1089-38-A—7-15 16th street, east side, 64 ft. south of Hamilton avenue (Block No. 1045, Lot No. 65), Borough of Brooklyn.

1115-38-A—1520-1522 Jesup avenue, east side, 194 ft. north of East 172nd street (Block No. 2872, Lot Nos. 285 and 286), Borough of The Bronx.

1113-38-A—41-01 to 41-16 12th street, super block bounded by 41st avenue, 21st street, Bridge Plaza north and 12th street (Block No. 463, Lot No. 182 and Block No. 464, Lot No. 114), Long Island City, Borough of Queens.

1114-38-A—41-01 to 41-16 12th street, super block bounded by 41st avenue, 21st street, Bridge Plaza north and 12th street (Block No. 463, Lot No. 182 and Block No. 464, Lot No. 114), Long Island City, Borough of Queens.

1121-38-A—12-02 to 12-32 40th avenue, super block bounded by 40th avenue, 21st street, 41st avenue and 12th street (Block No. 467, Lot Nos. 510 and 544 and Block No. 468, Lot No. 457), Long Island City, Borough of Queens.

1122-38-A—10-02 to 10-30 40th avenue, super block bounded by 40th avenue, 12th street, 41st avenue and 10th street (Block No. 469, Lot No. 415 and Block No. 470, Lot No. 375), Long Island City, Borough of Queens.

1123-38-A—10-02 to 10-30 41st avenue, super block bounded by 41st avenue, 12th street, a proposed street (41st road) and 10th street (Block No. 465, Lot No. 35 and Block No. 466, Lot No. 35), Long Island City, Borough of Queens.

1124-38-A—8-02 to 8-32 40th avenue, super block bounded by 40th avenue, 10th street, 41st avenue and Vernon boulevard (Block No. 478, Lot Nos. 1, 22 to 27 inclusive and Block No. 479, Lot No. 1), Long Island City, Borough of Queens.

1125-38-A—8-02 to 8-36 41st avenue, super block bounded by 41st avenue, 10th street, Bridge Plaza North and Vernon boulevard (Block No. 480, Lot No. 1 and Block No. 481, Lot Nos. 1 to 7, inclusive, 8, 12, 16, 36, 55 and 63), Long Island City, Borough of Queens.

1126-38-A—477-483 10th avenue, southwest corner of West 37th street (Block No. 708, Lot Nos. 35 and 37), Borough of Manhattan.

1117-38-A—1292 Southern boulevard, east side, 100 ft. north of Freeman street (Block No. 2980, Lot No. 5), Borough of The Bronx.

1057-38-A—23 Murray street, north side, 75 ft. east of Church street and 27 Warren street, south side, 75.5 ft. east of Church street (Block No. 134, Lot No. 8), Borough of Manhattan.

1008-38-A-WF—126-14 38th avenue, south side, 100 ft. east of 126th street (Block No. 1826, Lot No. 14), Corona, Borough of Queens.

964-38-A—6 Chatham square, west side, 94 ft. 9 in. north of Mott street (Block No. 162, Lot No. 41), Borough of Manhattan.

912-38-A—407-411 Oakland street, west side, 25 ft. north of Clay street (Block No. 2483, Lot No. 37), Borough of Brooklyn.

1136-38-A—Re manufacture, storage, sale and transportation of "Declene Hydraulic Brake Flushing Fluid" (inflammable mixture) in non-refillable cans in New York City.

1066-38-A—186-21 Underhill avenue, northwest corner of 187th street, 48-74 and 48-78 187th street, west side, 96.23 ft. and 136.23 ft. north of Underhill avenue (Block No. 10115A, Lot No. 1), Flushing, Borough of Queens.

1067-38-A—187-03 Underhill avenue, northeast corner of 187th street, 48-87 and 48-91 187th street, east side, 29.86 ft. and 69.86 ft. north of Underhill avenue (Block No. 10114, Lot No. 1), Flushing, Borough of Queens.

1111-38-A—69-78 and 69-84 181st street, northwest corner of 73rd avenue and west side of 181st street, 750 ft. south of 69th avenue (Block No. 7132, Lot No. 16), Flushing, Borough of Queens.

1154-38-A—115 Lincoln road, north side, 483 ft. 6 in. east of Washington avenue (Block No. 1327, Lot Nos. 26 and 28), Borough of Brooklyn.

Variations of Labor Law

1079-38-S—608-612 6th avenue and 50-58 West 18th street, southeast corner (Block No. 819, Lot Nos. 76 and 77), Borough of Manhattan.

797-38-S—959-961 East 85th street, east side, 200 ft. north of Avenue J (Block No. 8022, Lot No. 16), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December* 13, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which

have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 458-38-BZ—Application, June 3, 1938, under section 7h of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Son-Ray Realty and Holding Corporation, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 1800-1808 East 177th street, southeast corner of Beach avenue (Block No. 3881, Lot Nos. 11 to 15, inclusive), Borough of The Bronx.

CAL. NO. 362-38-BZ—Application, May 11, 1938 under sections 6a, 6b and 21 of the building zone resolution of David Steckler, applicant, on behalf of Henry Felsenstein, owner, to permit in a residence use district the extension in area of a garage and gasoline service station; premises 2042-2044 Ocean avenue, west side, 470 ft. south of Avenue O (Block No. 6766, Lot No. 36 and part of Lot No. 38), Borough of Brooklyn.

CAL. NO. 573-37-BZ—Application, December 3, 1937, under sections 7h and 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Mutual Life Insurance Co. of New York, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of not more than five (5) motor vehicles; premises 158-176 Columbus avenue, 101 West 67th street, 100 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 20, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December* 20, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 275-38-BZ—Application, April 14, 1938, under section 7h of the building zone resolution, of J. G. L. Molloy, applicant, on behalf of David Zipkin, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 225-229 Sherman avenue and 531-537 West 207th street, southeast corner (Block No. 2223, Lot Nos. 1 to 4, inclusive), Borough of Manhattan.

CAL. NO. 436-38-BZ—Application, June 1, 1938, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Wilgate Holding Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 53-02 Kissena boulevard, southeast corner of 153rd street, northwest corner of Kissena boulevard and Peck avenue and northeast corner of 153rd street and Peck avenue (Block No. 5163, Lot No. 74), Flushing, Borough of Queens.

CAL. NO. 177-27-BZ—Application of Seelig and Finkelstein, applicants, on behalf of Bay Road Realty Corporation, owner, reopened November 1, 1938, for consideration as to extension of time to obtain permits and to complete work—time having expired by limitation—re Application, previously granted on condition, under section 7c of the building zone resolution, permitting in a residence use district extending from a business use district the erection and maintenance of a building for store occupancy on the first story; premises north side of Broadway (Cornaga avenue), 79.18 ft. east of Mott avenue (Block No. 47, Lot No. 78), Far Rockaway, Borough of Queens.

CAL. NO. 542-38-BZ—Application, June 24, 1938, under section 21 of the building zone resolution, of Patrick Quilty, applicant, on behalf of Department of Water Supply, Gas & Electricity, City of New York, owner, to permit in a business use district the erection and maintenance of an extension to an existing pumping station; extension to be used as a garage for more than five (5) motor vehicles; premises southwest corner of Fresh Meadow road and Underhill avenue (Block No. 5580, Lot No. 140), Flushing, Borough of Queens.

CAL. NO. 418-37-BZ—Application, August 25, 1937, under section 7h of the building zone resolution, of Lauritz Lauritzen, applicant, on behalf of Louis Frisse, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 115-125 Myrtle avenue, north side, 22.89 ft. east of 116th street (Block No. 9257, Lot No. 57), Richmond Hill, Borough of Queens.

CAL. NO. 888-38-BZ—Application, October 11, 1938, under sections 7a and 21 of the building zone resolution, of Abraham Farber, applicant, on behalf of Anchor Laundry of Brooklyn, Inc., owner, to permit in a residence use, and "C" area district, the alteration, extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles, and, also, the omission of the required rear yard; premises 467-473 Prospect avenue, north side, 151 ft. 4 in. west of Prospect Park West (Block No. 1113, Lot No. 62), Borough of Brooklyn.

CAL. NO. 887-38-BZ—Application, October 13, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Samuel Schenkel,

CALENDAR

owner, to permit in a business use district the erection and maintenance of an additional accessory building on an existing gasoline service station; premises 833-839 4th avenue and 168-176 30th street, southeast corner (Block No. 673, Lot No. 5), Borough of Brooklyn.

CAL. NO. 877-38-BZ—Application, October 13, 1938, under section 21 of the building zone resolution, of George A. Bagge, Jr., applicant, on behalf of Grandboro Realty Corporation, owner, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use; premises 2327 Grand Concourse, west side, 247 ft. north of East 183rd street (Block No. 3164, Lot No. 24), Borough of The Bronx.

CAL. NO. 557-38-BZ—Application, June 24, 1938, under section 21 of the building zone resolution, of Moore and Landsiedel, applicants, on behalf of Washington Heights Automobile Club, Inc., owner, to permit partly in a residence use district and partly in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 4376 Broadway, east side, 25 ft. 2-4/5 in. south of West 187th street (Block No. 2167, Lot No. 47), Borough of Manhattan.

CAL. NO. 958-38-BZ—Application, October 28, 1938, under sections 21 and 7e of the building zone resolution, of Edgar A. Palmieri, applicant, on behalf of Morris Markowitz, Fany Markowitz, and Mary Schiff, owners, to permit in a business use district the conversion of occupancy of part of an existing building to a garage for more than five (5) motor vehicles; premises 345-347 East 103rd street, north side, 125 ft. west of First avenue (Block No. 1675, Lot Nos. 21 and 22), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 20, 1938, 2 P. M.

Appeals from Administrative Orders

1009-38-A—57-16 Granger street, south side, 136 ft. east of Martense avenue (Block No. 1950, Lot No. 46), Corona, Borough of Queens.

1095-38-A—1680 Broadway, east side, 60 ft. north of West 52nd street and 808 Seventh avenue (Block No. 1024, Lot No. 38), Borough of Manhattan.

1107-38-A—207 Greene street, west side, 177 ft. south of West Third street (Block No. 534, Lot No. 31), Borough of Manhattan.

31-38-A-WF—112-01 to 112-09 Queens boulevard, 75-01 to 75-09 112th street, northeast corner and 112-16 to 112-40 75th avenue (Block No. 1363, Lot No. 79), Forest Hills, Borough of Queens.

1139-38-A—North side of 20th avenue, between East River and Luyster Creek (Block No. 1067, Lot No. 1), Astoria, Borough of Queens.

1141-38-A—412 Broadway, east side, 60 ft. 9 in. south of Canal street (Block No. 196, Lot No. 7), Borough of Manhattan.

1142-38-A-WF—112-33 Colonial avenue, north side, 77.53 ft. west of Corona avenue (Block No. 1972, Lot Nos. 58 and 59), Corona, Borough of Queens.

1145-38-A-WF—133-29 Roosevelt avenue, north side, 236.27 ft. east of Lawrence street (Block No. 4973, Lot No. 53), Flushing, Borough of Queens.

1146-38-A-WF—103-14 Roosevelt avenue, south side, 50 ft. west of 104th street (Block No. 1975, Lot No. 9), Corona, Borough of Queens.

1153-38-A—10 Cortlandt street, north side, 99 ft. 4 in. west of Broadway (Block No. 63, Lot No. 10), Borough of Manhattan.

1155-38-A—1049-1065 Rockaway avenue, east side, 32 ft. 7 in. south of Linden boulevard (Block No. 3644A, Lot No. 4), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December* 20, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 676-38-BZ—Application, July 29, 1938, under section 21 of the building zone resolution, of M. Allen Schlendorf, applicant, on behalf of Kroder-Reubel Co., owner, to permit in a business use district the erection and maintenance of a saw and planing mill; premises 75-81 Herbert street, north side, 50 ft. east of North Henry street (Block No. 2828, Lot No. 1), Borough of Brooklyn.

CAL. NO. 245-37-BZ—Application of Nathan Mandel, applicant, on behalf of St. Cloud Construction Corporation, owner, reopened November 1, 1938 for rehearing on new facts (previously denied by board)—Court having referred matter back to board for rehearing and reconsideration—re Application, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (store); premises 2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx.

CAL. NO. 345-36-BZ—Application of Hahn and Coller, applicants, on behalf of John Seinfeld, owner, reopened November 1, 1938, for rehearing on new facts (previously denied by board)—Court having referred matter back to board for rehearing and reconsideration—re Application, under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use (stores); premises 2095 Grand Concourse, west side, 93.63 ft.

CALENDAR

north of East 180th street (Block No. 3161, Lot No. 26), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 4, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, January* 4, 1939, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 489-38-BZ—Application, June 14, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 219-01 North Conduit boulevard and 144-01 to 144-09 Springfield boulevard (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

CAL. NO. 95-38-BZ—Application, February 16, 1938, under section 7h of the building zone resolution, of Manufacturers Trust Company, as applicant and trustee, on behalf of R. L. Arcade Co., Inc., owner (William Bartinek, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 136-28 to 136-38 39th avenue, south side, 262.60 ft. east of Main street (Block No. 4980, Lot No. 14), Flushing, Borough of Queens.

CAL. NO. 390-37-BZ—Application, August 4, 1937, under sections 7h and 21 of the building zone resolution, of Aaron A. Roth, applicant, on behalf of George M. Thomson, owner (Joseph Beyer, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 50-02 Skillman avenue, south side, between 50th street and 51st street (Block No. 131, Lot No. 17), Long Island City, Borough of Queens.

CAL. NO. 729-38-BZ—Application, August 22, 1938, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Talbo Gasoline Company, Inc., owner (Colonial Beacon Oil Co., Inc., lessee), to permit in a business use district the extension of an existing gasoline service station; 3150-3158 Boston road, southeast corner of Laconia avenue (Block No. 4614, Lot No. 9), Borough of The Bronx.

CAL. NO. 755-38-BZ—Application, August 30, 1938, under section 7h of the building zone resolution, of Joseph Glicker, applicant and lessee, on behalf of Bankers Trust Co., as trustees of Keith W. Morris and Louis H. Morris, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 890 Dawson street and 935 Intervale avenue, southwest corner (Block No. 2702, Lot No. 41), Borough of The Bronx.

CAL. NO. 1010-38-BZ—Application, November 9, 1938, under section 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Excelsior Savings Bank, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises east side of Jerome avenue, 96 ft. south of East 184th street (Block No. 3187, Lot No. 21), Borough of The Bronx.

CAL. NO. 999-38-BZ—Application, November 7, 1938, under sections 21 and 7b of the building zone resolution, of Abram Shlefstein, applicant, on behalf of Duam Realty Holding Co., Inc., owner (Jack Goldstein, lessee), to permit partly in a business use district and partly in a residence use district the extension of a gasoline service station; premises 219-25 Merrick boulevard, northwest corner of 220th street (Block No. 3541, Lot No. 114), Springfield, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 4, 1939, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, January* 4, 1939, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 538-37-BZ—Application, November 15, 1937, under section 7h of the building zone resolution, of Nicholas Yannaco, applicant, on behalf of W. H. Flattau & Son, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 501 West 185th street, northwest corner of Amsterdam avenue (Block No. 2156, Lot No. 56), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 10, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January* 10, 1939, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 740-38-BZ—Application, August 24, 1938, under section 21 of the building zone resolu-

tion, of Sutta and Frankel, applicants, on behalf of Janice H. Devore, owner, to permit in a residence use district the erection and maintenance of a gasoline service station and, also, an accessory building to be used as auto laundry, lubritorium and office; premises 1940-1960 Linden boulevard, south side, from Pennsylvania avenue to New Jersey avenue, 785-795 Pennsylvania avenue and 848-858 New Jersey avenue (Block No. 4347, part of Lot No. 1), Borough of Brooklyn.

CAL. NO. 454-37-BZ—Application, September 22, 1937, under sections 7h and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Mary A. Breslin and Elsie F. Breslin, owners (Joseph Pagano, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 9105-9115 3rd avenue, east side, 31 ft. ¼ in. south of 91st street and 310-320 91st street (Block No. 6086, Lot No. 6), Borough of Brooklyn.

CAL. NO. 569-37-BZ—Application, December 2, 1937, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Sophie Galumbeck, owner (Flatbush Coal and Coke Corporation, lessee), to permit in a residence district the operation of coal pockets, coal storage, truck driveway and railroad siding; premises 2030-2044 McDonald avenue, west side, 339 ft. 6 in. north of Avenue S and 49-57 Lake street (Block No. 6680, Lot Nos. 23, 124 and 125), Borough of Brooklyn.

CAL. NO. 858-38-BZ—Application, October 6, 1938, under section 7h of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Margaret Demuth, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3513-3515 Jerome avenue, west side, 180.44 ft. south of Gun Hill road (Block No. 3324-B, Lot No. 142), Borough of The Bronx.

CAL. NO. 984-38-BZ—Application, November 4, 1938, under sections 7b and 21 of the building zone resolution, of Boak and Paris, Inc., applicant, on behalf of Guide Realty Company, owner, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a business building (motion picture theatre and stores) and, also, the omission of the required rear yard; premises 3611-3621 Riverdale avenue, west side, 94.7 ft. north of West 236th street (Block No. 3416, Lot No. 162), Borough of The Bronx.

CAL. NO. 824-38-BZ—Application, September 27, 1938, under sections 7c and 21 of the building zone resolution, of Charles O. Heyt, applicant, on behalf of John D. Rockefeller, Jr., owner, to permit partly in a restricted retail use district and partly in a residence use district and also, partly in a one and one-quarter (1¼) times height district and partly in a one and one-half (1½) times height district the erection and maintenance of a business building; a portion of the street walls of said building exceeding the height permitted by the building zone resolution; premises 668-670 Fifth avenue and 2-6 West 53rd street, southwest corner (Block No. 1268, Lot Nos. 40 to 44, inclusive), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 10, 1939, 2 P. M.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January* 10, 1939, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 307-33-BZ—Application of Samuel Gilbert, applicant, on behalf of 1758 Realty Co., Inc., owner, reopened December 6, 1938 for consideration as to extension of permit —re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the alteration and change of occupancy of an existing building to a motor vehicle repair shop for a temporary period; premises 1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, DECEMBER 6, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, November 22, 1938 and the minutes of the regular meeting of the Board held on Tuesday afternoon, November 22, 1938, were approved as printed in Bulletin No. 48, Vol. XXIII.

BUILDING ZONE CASES

589-38-BZ.

APPLICANT—Jay Emanuel, for Franklin Savings Bank in the City of New York, owner (Jacob A. Goldstein and May Harris, lessees).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—303 West 51st street, north side, 58 ft. 10½ in. west of Eighth avenue (Block No. 1042, Lot No. 28½ and part of Lot Nos. 29, 30, 30½, 31, 32, 33, 33½ and 34), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Sternket and J. A. Goldstein.

For Opposition: None.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 13, 1938, at 10 A.M. for additional statement by owner of property and information from Building Department.

39-34-BZ.

APPLICANT—Murray B. Hillman, for Dale Carnegie, owner.

SUBJECT—Application for consideration, reopening, rescindment of resolution re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a residence use district, the change of occupancy of an existing building to business use (restaurant) for a temporary period.

PREMISES AFFECTED—Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: Wm. R. Murphy, Murray B. Hillman, Walter J. Murphy, E. H. Frost and T. Keenan.

ACTION OF BOARD—Request to reopen and rescind resolution withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

728-38-BZ.

APPLICANT—Nathan Cooper, for Max Davidson, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the conversion of part of an existing building to a junk shop.

PREMISES AFFECTED—2401 Poplar street, northeast corner of Bronxdale avenue (Block No. 4062, Lot No. 27), Borough of The Bronx.

APPEARANCES—

For Applicant: Nathan Cooper, Max Davidson and Abraham Davidson.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(728-38-BZ)

WHEREAS, Nathan Cooper, for Max Davidson, owner, filed August 17, 1938, an application under the building zone resolution to permit in a business use district the conversion of part of an existing building to a junk shop; premises: 2401 Poplar street, northeast corner of Bronxdale avenue (Block No. 4062, Lot No. 27), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 6, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Bronxdale avenue is in an unrestricted and business use district; Poplar street is in a business use district; Sacket avenue is in an unrestricted and residence use district and East Tremont avenue is in an unrestricted and business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated July 18, 1938 re Alt. No. 731-27, reads:

"Your application for an amended Certificate of Occupancy to occupy the building located at the above premises as a junk shop for scrap metals and a one family residence is hereby denied as these premises are located in a Business Use District.

Section 4 of Article 2 of the amended Building Zone Resolution, prohibits junk shops in Business Use Districts."

and

WHEREAS, the building is of frame construction three (3) stories in height, with a frontage of 23 ft. and a depth of 44 ft., occupied as a store on the first story and dwellings above; it is proposed to occupy the store for dealing in old metal; and

WHEREAS, the board deemed that the applicant substantiated his basis of appeal under Section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 21 thereof, for a period of five years from the date of this action, permitting the use of the store as proposed for the buying and selling of second-hand material, *on condition* that in all other respects the occupancy shall comply with all laws, rules and regulations applicable thereto and that no machinery shall be installed and no work done on the scrap metals or any other material, except by hand and that no open flame shall be used on the premises for the purpose of metal cutting; that all permits required shall be obtained and all work involved completed within one year from the date of this action.

771-38-BZ.

APPLICANT—William F. Wund and Allen Moss, for Wonten Realty Corporation, owner.

SUBJECT—Application (re decision of the borough super-

intendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—204 West 65th street, south side, 50 ft. west of Amsterdam avenue (Block No. 1156, Lot No. 36), Borough of Manhattan.

APPEARANCES—

For Applicant: William F. Wund and Allen Moss.

For Opposition: None.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(771-38-BZ)

WHEREAS, William F. Wund and Allen Moss, for Wonten Realty Corporation, owner, filed September 6, 1938, an application under the building zone resolution, to permit in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises: 204 West 65th street, south side, 50 ft. west of Amsterdam avenue (Block No. 1156, Lot No. 36), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 6, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Amsterdam avenue is in a business use district; West 65th street is in an unrestricted and business use district and West 64th street is in an unrestricted and business use district; and

WHEREAS, the decision of the borough superintendent of buildings dated August 1, 1938, reads:

"Your application for a permanent certificate of occupancy for the above premises is disapproved as a repair shop for motor vehicles is prohibited in a business district.

A certificate of occupancy was issued for this building in 1922 and limited the use of the premises to garage for five cars and stores."

and

WHEREAS, the building is of non-fireproof construction, one story in height, with a frontage of 50 ft. and a depth of 50 ft., irregular in area, occupied as a store and 5 car garage; it is proposed to convert the occupancy to a motor vehicle repair shop; and

WHEREAS, the board deemed that applicant was entitled to relief under Section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted,* under Section 21, to permit the premises under appeal to be used for motor vehicle repairing in addition to the existing permitted occupancy as five-car garage and store, *on condition* that the building shall not be increased in height or area; that all repairing shall be done by hand and by the use of tools not requiring motor power greater than ½ h.p. each; that no forge shall be maintained on the premises and no acetylene torch for cutting or welding shall be maintained, except under permit duly issued by the fire commissioner; and that all permits shall be obtained and all work shall be completed within one year from the date of this action.

848-38-BZ.

APPLICANT—Abram Shlefstein, for Craufombe Estates, Inc., owner (Shell Union Oil Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of an accessory building on an existing gasoline service station.

PREMISES AFFECTED—2942-2948 Avenue U and 2102-2112 Haring street, southwest corner (Block No. 7363, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abram Shlefstein and A. John Eden.

For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(848-38-BZ)

WHEREAS, Abram Shlefstein, for Craufombe Estates, Inc., owner, Shell Union Oil Corp., lessee, filed October 5, 1938, an application under the building zone resolution, to permit in a business use district, the erection and maintenance of an accessory building on an existing gasoline service station; premises: 2942-2948 Avenue U and 2102-2112 Haring street, southwest corner (Block No. 7363, Lot No. 5), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 6, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Avenue U is in a business use district; Haring street is in a residence and business use district; Nostrand avenue is in a business use district and Gravesend Neck road is in a business and residence use district; and

WHEREAS, the decision of the borough superintendent of buildings dated September 8, 1938, App. No. 12891-38, reads:

"Proposed removal of metal shack and erection of new accessory building as shown on plans not permitted on existing gasoline station site within business district."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 37 ft. 5 in. on Gravesend Neck road, 70 ft. 1 in. on Avenue U and 100 ft. on Gravesend Neck road, 70 ft. 1 in. on Avenue U and 100 ft. on Haring street. It is proposed to demolish a one-story building now located on the gasoline station and to erect in lieu thereof, a one-story non-fireproof building 40 ft. by 26 ft. in area, to be used as office, lubritorium and auto laundry; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to hearing, and

WHEREAS, the board deemed that the applicant substantiated his basis of appeal under Section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 21 thereof, to permit the reconstruction and re-arrangement of the existing gasoline station, *on condition* that the existing accessory building shall be removed and the proposed accessory building erected substantially as indicated on plans filed with this application; that such building shall comply in all respects with the requirements of the building code and all other laws, rules and regulations applicable thereto; that there shall be erected on the interior lot lines

to the west and south, a substantial woven wire fence not less than 5 feet in height; that no gasoline pump shall be erected nearer than 15 feet to the street building line of either street; that the existing curb cuts shall not be increased beyond those shown on the plans filed with this application; that the plot where not occupied by the proposed accessory building, shall be graded substantially to the grade of Gravesend Neck road and Avenue U and shall be surfaced with cement paving or crushed bluestone, rolled and bound or other similar approved impervious paving; that all permits required shall be obtained and all work involved completed within one year from the date of this action.

957-38-BZ.

APPLICANT—Stephen L. Heidrich, for Estate of Frederick D. Fricke, owner (Earle Hotel Corporation, lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing building to a business use (restaurant).

PREMISES AFFECTED—103-105 Waverly place, north side, 35 ft. 3 in. west of MacDougal street (Block No. 553, Lot No. 31), Borough of Manhattan.

APPEARANCES—

For Applicant: Harry Aaronson and John Bruce Hersey.

For Opposition: None.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(957-38-BZ)

WHEREAS, Stephen L. Heidrich, for Estate of Frederick D. Fricke, owner, (Earl Hotel Corp. lessee), filed September 29, 1938, an application under the building zone resolution, to permit in a residence use district, the conversion of occupancy of part of an existing building to a business use (restaurant); premises: 103-105 Waverly place, 35 ft. 3 in., west of MacDougal street (Block No. 553, Lot No. 31), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 6, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Waverly place is in a residence and business use district; West 8th street is in a business and residence use district; MacDougal street is in a residence and business use district and 6th avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings dated September 29, 1938, reads:

> "In answer to your letter of even date requesting a denial on Building Notice 2592-1938 filed on the above premises in order that you may appeal to the Board of Standards and Appeals within thirty (30) days and explaining that the thirty (30) day requirement had expired since our denial of August 23, 1938, you are advised this department has no authority to extend such time. Therefore, the denial of August 23, 1938 is herewith repeated.
>
> "Business is not permitted in a residence district."

and

WHEREAS, the building is of fireproof construction, nine (9) stories in height, with a frontage of 52.2 ft. and a depth of 98 ft., occupied as an apartment hotel with a restaurant on the first story; it is proposed to divide this restaurant and provide a new door to street so as to provide access for the public; and

WHEREAS, the board deemed that applicant failed to substantiate his basis of appeal under Section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent dated September 29, 1938, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

Adjourned, 11:50 A.M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 6, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

629-32-BZ.

APPLICANT—John F. Meehan, for Samuel J. Wood and Evelyn Wood, owners.

SUBJECT—Application for consideration—reopening and extension of time re Application (decision of the superintendent of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—East side of Hugh J. Grant Circle from Westchester avenue to East 177th street (Block No. 3796, Lot No. 1), Borough of The Bronx.

APPEARANCES—

For Applicant: James Cole.

ACTION OF BOARD—Request to reopen, withdrawn upon request of applicant's representative.

THE VOTE TO WITHDRAW REQUEST TO REOPEN:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

307-33-BZ.

APPLICANT—Samuel Gilbert, for 1758 Realty Co., Inc., owner.

SUBJECT—Application for consideration—reopening and extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the alteration and change of occupancy of an ex-

isting building to a motor vehicle repair shop for a temporary period.

PREMISES AFFECTED—1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Borough of Brooklyn.

APPEARANCES—
For Applicant: Samuel Gilbert.

ACTION OF BOARD—Application reopened and set for hearing January 10, 1939, at 2 P.M.

THE VOTE TO REOPEN:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

178-37-BZ.

APPLICANT—Robert Port, for Morton Wollman, lessee, and Edbro Realty Co., Inc., owner.

SUBJECT—Application for consideration—reopening and rehearing under section 21 of the building zone resolution (re decision of the acting borough superintendent of buildings) to permit in a business use district the parking and storage of more than five (5) motor vehicles (previously denied under section 7h of the building zone resolution).

PREMISES AFFECTED—979-989 Clarkson avenue, northeast corner of Remsen avenue (Block No. 4626, part of Lot No. 37), Borough of Brooklyn

APPEARANCES—
For Applicant: Robert Port.
For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

408-38-BZ.

APPLICANT—William J. McMahon (lessee), for Hans Donhauser, Inc., owner.

SUBJECT—Application for consideration—reopening and restoration to calendar, having been previously withdrawn—re Application (decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—72-01 Astoria boulevard (Grand Central parkway extension), northeast corner of 72nd street (Block No. 1004, Lot No. 52), Astoria, Borough of Queens.

APPEARANCES—
For Applicant: William J. McMahon.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

51-30-BZ.

APPLICANT—Austin W. Magee, for Seminole Garage, Inc., lessee, and Cord Meyer Development Company, owner.

SUBJECT—Application for consideration—reopening and amendment—re Application (decision of the borough superintendent of buildings) under sections 7g and 21 of the building zone resolution, permitting partly in a business use district and partly in a residence use district, the erection and maintenance of a garage for the storage of more than five (5) motor vehicles and, also, the installation of a gasoline service station (previously granted by the board).

PREMISES AFFECTED—112-01 to 112-09 Queens boulevard, 75-01 to 75-09 112th street (Seminole avenue), northeast corner, and 112-16 to 112-40 75th avenue (Atom street); (Block No. 1363, Lot No. 79), Forest Hills, Borough of Queens.

APPEARANCES—
For Applicant: Austin W. Magee.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(51-30-BZ)

WHEREAS, this application affecting premises 112-01 to 112-09 Queens boulevard, 75-01 to 75-09 112th street (Seminole avenue) and 112-16 to 112-40 75th avenue (Atom street); (Block No. 1363, Lot No. 79), Forest Hills, Borough of Queens, was granted by the board April 8, 1930, on certain conditions, resolution amended April 6, 1937, May 11, 1937, February 1, 1938 and November 1, 1938, and owner requested a further amendment of the resolution.

Resolved, that the resolution adopted by the board on April 8, 1930 as amended February 1, 1938, June 14, 1938 and November 1, 1938, be and it hereby is *amended,* so that as amended the resolution will read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted on condition* that the building shall not exceed in height four stories above grade and shall be constructed fireproof, substantially in accordance with the plans, as to design, plan and layout, filed in this appeal; that the exterior of the building on all sides shall be finished with light-colored face brick with dark-colored face brick trim, architectural terra cotta or natural stone trim; that there shall be no vehicular opening on the 75th avenue frontage; that any door openings on the 75th avenue front shall not exceed a width of 3 ft. 8 in.; that no gasoline pumps shall be installed within 10 ft. of any street building line; that there shall be incorporated on the building line at street frontage a concrete curb not less than 12 in. in width and not less than 5 in. in height with rounded top for a distance of not less than 5 ft. from the southerly interior line and for a length of not less than 8 ft. opposite each of the pump islands, permitting the three entrances to the premises not more than 25 ft. in width from Queens boulevard and one entrance not more than 30 ft. in width from Seminole avenue, with curb cuts opposite each such opening not exceeding 35 ft. in width each; that advertising display shall be restricted to the glass globes of the gasoline pumps and to a flat wall sign attached to that portion of the building used as a garage and to one electric sign on the roof over the garage entrance and signs on the street front of the portion of the building used for restaurant purposes as permitted under Cal. No. 31-38-A-WF; and also permitting one post standard erected within the building line toward the easterly side, near the easterly interior lot line, for supporting a sign that may be illuminated, advertising

solely the brand of gasoline for sale; that in the event the owner desires to add additional stories to the existing one story garage erected pursuant to resolution adopted by the board, that such additional stories may be added, not to exceed a total of 4, as permitted in the resolution adopted on April 8, 1930 on condition that all the requirements of this resolution shall be complied with and that no sign shall be erected upon the roof of the building as increased in height without the approval of this board and that all permits for additional construction work shall be obtained and all work completed within one year from the date of this action.

Resolved further, that in the event it is desired to extend the area of the first floor, now occupied by a restaurant, for additional kitchen area, such extension may be made by reducing the space now occupied as a part of the garage, provided the space is not later restored to garage use; that a permanently affixed illuminated sign may be attached below the coping course near the top of the second story facing Queens boulevard, reading 'Seminole Garage', provided such sign *is rectangular in shape, not exceeding 32 feet in length and 2 feet in width, substantially as indicated on revised plans marked 'Received December 2, 1938.'*"

384-31-BZ.

APPLICANT—Sidney H. Kitzler, for Ethel Josephson, owner.

SUBJECT—Application for consideration—reopening and amendment (re decision of the acting borough superintendent of buildings), re Application, under secion 21 of the building zone resolution, permitting in a residence use district the erection of office, grease pit and car washing building to be used as accessory to an existing gasoline service station.

PREMISES AFFECTED—2596-2604 Linden boulevard and 780-788 Crescent street, southwest corner (Block No. 4485, Lot Nos. 6 and 9), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney H. Kitzler.

ACTION OF BOARD—Request to reopen denied.

THE VOTE TO REOPEN:

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(384-31-BZ)

WHEREAS, this application affecting premises 2596-2604 Linden boulevard and 780-788 Crescent street, southwest corner (Block No. 4485, Lot Nos. 6 and 9), Borough of Brooklyn, was granted by the board December 27, 1933, on certain conditions, resolution amended July 10, 1936; and

WHEREAS, the owner through his agent, Jack Z. Cohen, requested a reopening of the application and a further amendment of the resolution; and

WHEREAS, this request was denied March 9, 1937, and the present applicant, Sidney H. Kitzler, has made a further request for reopening and amendment; and

WHEREAS, the board deemed that the amendment sought should be denied as not being necessary or desirable.

Resolved, that the request to reopen be and it hereby is *denied*.

170-36-BZ.

APPLICANT—Nathan A. Goldenthal, for Michael J. Shea and Hannah Shea, owners.

SUBJECT—Application for consideration—reopening and extension of permit re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a residence use district the occupancy of portion of a plot of ground as an open air parking space for more than five (5) motor vehicles and, also, permitting the conversion of occupancy of an existing structure on the plot to three (3) three-car garages.

PREMISES AFFECTED—25-13 35th street, east side, 92.04 ft. south of Astoria boulevard (Block No. 633, Lot Nos. 30, 31 and 32), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Nathan A. Goldenthal.

ACTION OF BOARD—Application reopened and permit extended.

THE VOTE TO REOPEN AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(170-36-BZ)

WHEREAS, Nathan A. Goldenthal, for Michael J. Shea and Hannah Shea, owners, filed, June 4, 1936, an application under the building zone resolution to permit in a residence use district the occupancy of portion of a plot of ground as an open air parking space for more than five (5) motor vehicles and, also to permit the conversion of occupancy of an existing structure on the plot to three 3-car garages; premises: 25-13 35th street, east side, 92.04 ft. south of Astoria boulevard (Block No. 633, Lot Nos. 30, 31, and 32), Long Island City, Borough of Queens; and

WHEREAS, this application was granted by the board February 9, 1937, on certain conditions and applicant requested an extension of the term of the permit.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of February 9, 1937, only so far as it refers to the term of the permit, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 thereof for a period of two years from the date of *this amended resolution*, to permit six existing one car garages located on the rear of the lot to be used for storage of pleasure motor vehicles, *on condition* that the three additional existing one car garages shall be used as legally permitted under the zone resolution; that the balance of the premises shall not be used for the storage or parking of cars or for any other use that is non-conforming in the residential use district; that the existing tool house located at the front of the property toward the south shall be removed; that the existing wire mesh fence on the lot lines and on the street line shall be maintained in good repair with not more than the two existing entrances from the street; that this variation shall continue only so long as the premises remain in the ownership and control of the present owner and in no event beyond the two-year period herein granted; that no sign shall be maintained and no lights for the general illumination of the premises installed; that all permits required for the use permitted under this variation shall be obtained within three months from the date of this action."

736-38-BZ.

APPLICANT—Francis T. Christy, for Rockefeller Center, Inc., lessee, The Trustees of Columbia University in the City of New York, owner.

SUBJECT—Application for consideration—reopening and approval of plans—re Application (decision of the borough superintendent of buildings) under section 7g of the building zone resolution, permitting

in a retail use district the erection and maintenance of a building to be occupied as a garage for more than five (5) motor vehicles and offices.

PREMISES AFFECTED—25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue, and 26-52 West 49th street (Block No. 1264, Lot No 10), Borough of Manhattan.

APPEARANCES—

For Applicant: Henry Hofmeister and Francis T Christy.

ACTION OF BOARD—Application reopened and plans approved in accordance with resolution of the board.

THE VOTE TO REOPEN AND APPROVE PLANS:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(736-38-BZ)

WHEREAS, Francis T. Christy, for Rockefeller Center, Inc., lessee, and The Trustees of Columbia University in the City of New York, owner, filed August 16, 1938, an application under the building zone resolution to permit in a retail use district, the erection and maintenance of a building to be occupied as a garage for more than five (5) motor vehicles and offices; Premises: 25-53 West 48th street, north side, 237 ft. 7½ in. east of Sixth avenue and 26-52 West 49th street (Block No. 1264, Lot No. 10), Borough of Manhattan; and

WHEREAS, this application was granted by the Board October 4, 1938, on certain conditions and applicant requested an approval of plans; and

WHEREAS, the resolution adopted October 4, 1938, reads:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7g thereof, to permit that portion of the proposed building to be used as a non-storage garage, as indicated on plans filed with this application, together with the space shown as a proposed bus terminal, *on condition* that there shall be no bus terminal on the premises or any entering or exiting of buses on the premises; that the portion of the building used for a non-storage garage shall be protected with a 2-source sprinkler system and standpipe system and shall be separated from all other parts of the building by fireproof construction; that in addition, such portable fire-fighting appliances shall be installed as the fire commissioner shall direct; that the exterior of the building shall be, as represented, in conformity as to design and exterior materials with the adjacent buildings of Rockefeller Center; that the present permitted parking use granted under Cal. No. 487-37-BZ shall be terminated upon the commencement of excavation for this proposed building; that at all times during the operation of the garage, there shall be an attendant stationed on 49th street and one on 48th street, to direct the entering and exiting of automobiles; that only automobiles of the pleasure-car type shall be stored in the garage; that there shall be no storage of gasoline within this portion of the building, except in the tanks of the cars and no servicing or repairing of motor vehicles; that the garage area shall be ventilated throughout with a supply and exhaust system of ventilation to provide not less than four changes of air per hour; that prior to filing complete working drawings with the borough superintendent, such plans shall be submitted to the Board for examination and for the imposition of any additional conditions as may be deemed necessary; that such plans shall be submitted within six months and all permits shall be obtained and all work completed within one year after plans are approved by the Board, as in compliance with the terms of the resolution as it may be amended."

Resolved, tha the Board of Standards and Appeals does hereby *approve* the plans filed in connection with this application as being in accordance with the resolution of the Board adopted October 4, 1938.

GENERAL RESOLUTION

1128-38-GR.

APPLICANT—Alfred Rheinstein, Commissioner, Department of Housing and Buildings, City of New York.

SUBJECT—Interpretation of article IV, section 16a of the building zone resolution relating to certain requirements of "G" area districts.

ACTION OF BOARD—General resolution adopted.

THE VOTE TO ADOPT GENERAL RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1128-38-GR)

WHEREAS, a request has been received from the commissioner of the department of housing and buildings for an interpretation of certain requirements of the building zone resolution relating to G area districts.

Resolved, that in applying the provisions of Section 16A of Article IV of the building zone resolution, relating to G area districts, the requirements in an F area district as provided in subdivision f thereof shall apply only where any such provision for an F area district is more restrictive. On a corner lot, the owner may elect the street upon which the building shall front, and the rear yard shall be provided opposite such front.

APPEALS FROM ADMINISTRATIVE ORDERS

1009-38-A.

APPLICANT—Stephan Simon, neighboring property owner.

OWNER OF PREMISES—L. Lordi.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 3458 and Permit No. 9024-35.

PREMISES AFFECTED—57-16 Granger street, south side, 136 ft. east of Martense avenue (Block No. 1950, Lot No. 46), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Stephan Simon.

For Owner: Meyer Wilen, Mrs. L. Lordi and Frank Lordi.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 20, 1938, at 2 P. M. Owner of record to be notified.

1043-38-A.

APPLICANT—Nathaniel Borah, for Annie Grief, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—859 Westchester avenue, northwesterly side, 242 ft. northeast of Prospect avenue (Block No. 2690, Lot No. 10), Borough of The Bronx.

APPEARANCES—

For Applicant: Nathaniel Borah.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Laid over to December 13, 1938, at 2 P. M. for inspection by a committee of the board.

MINUTES

1065-38-A.

APPLICANT—Sidney L. Strauss, for Wadsworth & Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—39 Union Square west, west side, 31 ft. 6 in., south of East 17th street (Block No. 844, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Laid over to December 13, 1938 at 2 P. M. Applicant to submit additional information.

1071-38-A.

APPLICANT—P. H. Mathews, Secretary, for Bush Terminal Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—Foot of 47th street and 48th street (Bush Building No. 51); (Block No. 725, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: P. H. Mathews

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Laid over to December 13, 1938, at 2 P. M., for inspection by a committee of the board.

1072-38-A.

APPLICANT—P. H. Mathews, Secretary, for Bush Terminal Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—Between 47th street and 48th street (Bush Building No. 52); (Block No. 725, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: P. H. Mathews.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Laid over to December 13, 1938 at 2 P. M., for inspection by a committee of the board.

1073-38-A.

APPLICANT—P. H. Mathews, Secretary, for Bush Terminal Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—Between 47th street and 48th street (Bush Building No. 53); (Block No. 725, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: P. H. Mathews.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Laid over to December 13, 1938 at 2 P. M., for inspection by a committee of the board.

1074-38-A.

APPLICANT—P. H. Mathews, Secretary, for Bush Terminal Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—Between 47th street and 48th street (Bush Building No. 54); (Block No. 725, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: P. H. Mathews.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Laid over to December 13, 1938 at 2 P. M., for inspection by a committee of the board.

1075-38-A.

APPLICANT—P. H. Mathews, Secretary, for Bush Terminal Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—Foot of 49th street (Bush Building No. 55); (Block No. 725, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: P. H. Mathews.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Laid over to December 13, 1938 at 2 P. M., for inspection by a committee of the board.

1095-38-A.

APPLICANT—S. Firestone, for Capitol Bowling and Billiards, Inc., for Capitol Health Center, Inc., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1680 Broadway, east side, 60 ft. north of West 52nd street and 808 Seventh avenue (Block No. 1024, Lot No. 38), Borough of Manhattan.

APPEARANCES—

For Applicant: Sigmund Firestone.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Laid over to December 20, 1938, at 2 P. M., upon request of applicant.

1098-38-A.

APPLICANT—P. J. Kennedy and Sons, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—12 Barclay street, south side, 238 ft. west of Broadway (Block No. 88, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Louis Kennedy.

ACTION OF BOARD—Laid over to December 13, 1938, at 2 P. M., upon request of applicant.

1107-38-A.

APPLICANT—Conran Standpipe Co., Inc., for Jerome Tanenbaum, et al., owners.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—207 Greene street, west side, 177 ft. south of West Third street (Block No. 534, Lot No. 31), Borough of Manhattan.

APPEARANCES—

For Applicant: Fred. W. Merdes.

ACTION OF BOARD—Laid over to December 20, 1938, at 2 P. M., upon request of applicant.

31-38-A-WF.

APPLICANT—Austin W. Magee, for Seminole Garage, Inc., lessee and Topsy's Queens Boulevard Corp., sub-lessee; Cord Meyer Development Co., owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—112-01 to 112-09 Queens boulevard, 75-01 to 75-09 112th street (Seminole avenue), northeast corner and 112-16 to 112-40 75th avenue (Atom street); (Block No. 1363, Lot No. 79), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Austin W. Magee.

ACTION OF BOARD—Appeal reopened and set for hearing December 20, 1938, at 2 P. M.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

MINUTES

1061-38-A.

APPLICANT—Oscar Lowinson, for S. Axel, Incorporated, lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—478 Seventh avenue, west side, 19.1 ft. south of West 36th street (Block No. 785, Lot No. 45), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn, to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

1063-38-A.

APPLICANT—The Shepard Elevator Company, for Mrs. Ernest R. Adee, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—161 East 70th street, north side, 150 ft. east of Lexington avenue (Block No. 1405, Lot No. 26), Borough of Manhattan.

APPEARANCES—

For Applicant: A. A. Moore.

For Administration: Fred Dahlem and Inspector Nevins, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn upon request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

1064-38-A.

APPLICANT—Herman Kron, for Metropolitan Gas and Service Station Inc., lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—61-63 Eighth avenue and 300 West 13th street, southwest corner (Block No. 616, Lot No. 47), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal withdrawn upon request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

1093-38-A.

APPLICANT—John F. LeBeau, for Harlem Investors, Incorporated, lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—150 East 14th street and 124 Third avenue, southwest corner (Block No. 559, Lot No. 32), Borough of Manhattan.

APPEARANCES—

For Applicant: John F. Le Beau.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal withdrawn.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

284-37-A.

APPLICANT—Donald R. Turnbull, for Frederick Loeser and Co., Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—484-496 Fulton street and 2-30 Bond street, southeast corner (Block No. 159, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Chas. A. Dodd, Jr.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(284-37-A)

WHEREAS, Donald R. Turnbull, for Frederick Loeser and Co. Inc., owner, filed June 11, 1937, an appeal from an order of the fire commissioner, affecting premises 484-496 Fulton street and 2-30 Bond street, southeast corner (Block No. 159, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated May 14, 1937, No. 71050-LC, reads:

"1. Either remove the refrigerating chemical from each refrigerating system, or provide tight partitions with close fitting self-closing doors for each room wherein such system is offered for sale or use or demonstrating purpose."

and

WHEREAS, the building is six stories (75 ft.) in height, 125 ft. by 295 ft. in area, of non-fireproof construction; equipped with a standpipe and a sprinkler system; erected approximately 1897; located in a business use district and occupied as a department store throughout; no certificate of occupancy has been issued; and

WHEREAS, the applicant has located for sale in various parts of the building, approximately 54 refrigerators of various types, containing chemical refrigerants; and

WHEREAS, the applicant contends that these refrigerators each contain less than 6 lbs. of refrigerant and there is, therefore, no violation of the ordinances of the City of New York or the rules of the fire department and that there are practical difficulties and unnecessary hardships in the way of carrying out the order hereby appealed from.

Resolved, that the order of the fire commissioner, No. 71050-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that no refrigerator containing more than 6 lbs. of refrigerant shall be displayed; that not more than one model of each size, of each make, containing refrigerant shall be displayed; that no such refrigerator shall be located nearer than 25 ft. to a means of exit or an elevator or escalator; that the space in which refrigerators containing refrigerant are displayed, shall be ventilated by mechanical ventilation, unless windows are provided, opening to the outer air and not opening upon shafts or interior courts; that if refrigerators containing refrigerant are stocked in the same building where displayed, they shall be on a floor or portion of a floor entirely separated from a space where customers are admitted, by walls or partitions reasonably vaporproof and such storage space shall be ventilated to the satisfaction of the fire commissioner.

288-37-A.

APPLICANT—Rollin H. Steiger, for Abraham and Straus, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

MINUTES

PREMISES AFFECTED—422-438 Fulton street, 14-30 Hoyt street, 171-201 Livingston street and 15-19 Gallatin place (Block No. 156, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: James H. Mathis.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(288-37-A)

WHEREAS, Rollin H. Steiger, for Abraham and Straus, Inc., owner, filed June 12, 1937, an appeal from an order of the Fire Commissioner affecting premises 422-38 Fulton street, 14-30 Hoyt street, 171-201 Livingston street and 15-19 Gallatin place (Block No. 156, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order of the Fire Commissioner, dated May 14, 1937, No. 71051-LC, reads:

"1. Either remove the refrigerating chemical from each refrigerating system, or provide tight partitions with close fitting self-closing doors for each room wherein such system is offered for sale or use or demonstrating purpose."

and

WHEREAS, the building is ten stories in height, 305 ft. by 375 ft. in area, consisting of three connected units known as the East Building, Central Building and West Building. The Central Building is of nonfireproof construction and the East Building is of fireproof construction. There are no refrigerators stored in the West Building. The Building is occupied throughout as a department store, as permitted by Certificate of Occupancy No. 58132 issued October 10, 1929; and

WHEREAS, the applicant has located for sale in various parts of the building, approximately 100 refrigerators of various types, containing chemical refrigerants; and

WHEREAS, the applicant contends that compliance with the order of the Fire Commissioner, would render it impossible to demonstrate the actual use of the machines and all the various appliances sold in connection therewith, resulting in a great loss in the reduction of sales. The applicant respectfully requests a modification of the order of the Fire Commissioner.

Resolved, that the order of the fire commissioner, No. 71051-LC, be and it hereby is *modified,* and that the appeal be and it hereby is *granted on condition* that no refrigerator containing more than 6 lbs. of refrigerant shall be displayed; that not more than one model of each size, of each make, containing refrigerant shall be displayed; that no such refrigerator shall be located nearer than 25 ft. to a means of exit or an elevator or escalator; that the space in which refrigerators containing refrigerant are displayed, shall be ventilated by mechanical ventilation, unless windows are provided, opening to the outer air and not opening upon shafts or interior courts; that if refrigerators containing refrigerant are stocked in the same building where displayed, they shall be on a floor or portion of a floor entirely separated from a space where customers are admitted, by walls or partitions reasonably vaporproof and such storage space shall be ventilated to the satisfaction of the fire commissioner.

331-37-A.

APPLICANT—Charles Kapp, for A. I. Namm & Son, owners.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—450-458 Fulton street, south side, block bounded by Livingston street, Hoyt street and Elm place (Block No. 157, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Sidney M. Zneimer.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(331-37-A)

WHEREAS, Charles Kapp, for A. I. Namm and Son, owner, filed June 29, 1937, an appeal from an order and a decision of the Fire Commissioner, affecting premises 450-458 Fulton street, block bounded by Livingston street, Hoyt street and Elm place (Block No. 157, Lot No.1), Borough of Brooklyn; and

WHEREAS, the order of the Fire Commissioner, dated May 14, 1937, No. 71049-LC, reads:

"1. Either remove the refrigerating chemical from each refrigerating system, or provide tight partitions with close fitting self-closing doors for each room wherein such system is offered for sale or for use or demonstrating purpose."

and

WHEREAS, the said order was repeated in a decision of the Fire Commissioner, dated June 23, 1937; and

WHEREAS, the premises consist of two buildings joined together and used throughout as a department store; premises 450-458 Fulton street, erected between 1924 and 1929, of fire-proof construction, basement and eight stories (103 ft. 11 in.) in height and 113 ft. 6 in. by 73 ft. in area; and premises 9-17 Hoyt street of non-fireproof construction, basement and five stories (52 ft 5 in.) in height, 88 ft. by 113 ft. 6 in. in area; the group of buildings of which these are part front 113 ft. 6 in. on Fulton street, 297 ft. on Hoyt street, 164 ft. on Livingston street and 225 ft. on Elm place; and

WHEREAS, the applicant has located for sale in various parts of the building, refrigerators of various types, containing chemical refrigerants; and

WHEREAS, appellant contends that compliance with the order of the Commissioner, would render it impossible to demonstrate the actual use of the machines and all the various appliances sold in connection with them, resulting in a great loss and reduction in sales; that of the number of refrigerators actually on display, probably no more than five or six are actually connected to an electrical socket suitable to produce refrigeration in the box and that the use of such a small amount of such refrigerators in a large establishment of this kind does not justify the issuance of a Commissioner's order.

Resolved, that the order of the fire commissioner, No. 71049-LC, be and it hereby is *granted, on condition* that no refrigerator containing more than 6 lbs. of refrigerant shall be displayed; that not more than one model of each size of each make, containing refrigerant shall be displayed; that no such refrigerator shall be located nearer than 25 ft. to a means of exit or an elevator or escalator; that the space in which refrigerators containing refrigerants are displayed, shall be ventilated by mechanical ventilation, unless windows are provided, opening to the outer air and not opening upon shafts or interior courts; that if refrigerators containing refrigerant are stocked in the same building where displayed, they shall be on a floor or portion of a floor entirely separated from a space where customers are admitted, by walls or partitions reasonably vaporproof and such storage space shall be ventilated to the satisfaction of the fire commissioner.

351-37-A.

APPLICANT—Louis E. Metzinger, for Sears, Roebuck and Co., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—2307 Beverly road and 2410 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn.

APPEARANCES—

For Applicant: Percy A. Carson.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(351-37-A)

WHEREAS, Louis E. Metzinger, for Sears, Roebuck and Co., owner, filed July 7, 1937 an appeal from an order of the Fire Commissioner affecting premises 2307 Beverly road and 2410 Bedford avenue, northwest corner (Block No. 5133, Lot No. 14), Borough of Brooklyn; and

WHEREAS, the order of the Fire Commissioner, No. 71389-LC, dated June 7, 1937, reads:

"1. Either remove the refrigerating chemical from each refrigerating system, or provide tight partitions with close fitting self-closing doors for each room wherein such system is offered for sale or use or demonstrating purpose."

and

WHEREAS, the building is 3 stories (48 ft.) in height. 230 ft. by 106 ft. in area, of fireproof construction, equipped with a standpipe and a sprinkler system; erected in 1932 and occupied as follows: Basement—general sales floor, 120 persons; 1st floor—general sales floor, 120 persons; 2nd floor—general sales floor, 75 persons; 3rd floor—stock room and office, 150 persons, for which Certificate of Occupancy No. 69029 was issued November 28, 1932; and

WHEREAS, there are located for sale in various parts of the building, refrigerators of various types, containing chemical refrigerants; and

WHEREAS, the applicant contends that compliance with the order of the Fire Commissioner, would render it impossible to demonstrate these machines and respectfully requests a modification of the order of the Fire Commissioner.

Resolved, that the order of the fire commissioner, No. 71389-LC, be and it hereby is *granted, on condition* that no refrigerator containing more than 6 lbs. of refrigerant shall be displayed; that not more than one model of each size, of each make, containing refrigerant shall be displayed; that no such refrigerator shall be located nearer than 25 ft. to a means of exit or an elevator or escalator; that the space in which refrigerators containing refrigerant are displayed, shall be ventilated by mechancial ventilation, unless windows are provided, opening to the outer air and not opening upon shafts or interior courts; that if refrigerators containing refrigerant are stocked in the same building where displayed, they shall be on a floor or portion of a floor entirely separated from a space where customers are admitted, by walls or partitions reasonably vaporproof and such storage space shall be ventilated to the satisfaction of the fire commissioner.

504-37-A.

APPLICANT—Samuel Rosenblum, for Nat Nal Service Stations, Inc., lessee.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—14 Second avenue, east side, 47 ft. 10 in. south of East 1st street (Block No. 442, Lot No. 6), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal dismissed.

THE VOTE TO DISMISS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(504-37-A)

WHEREAS, Samuel Rosenblum for Nat Nal Service Stations, Inc., lessee, filed on October 20, 1937, an appeal from an order of the fire commissioner, affecting premises 14 Second avenue, east side, 47 ft. 10 in. south of East 1st street (Block No. 442, Lot No. 6), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner No. 9073-LC, dated September 30, 1937, reads:

"1. Discontinue the storage and sale of gasoline (including use of portable tanks)."

and

WHEREAS, this appeal was placed on the Reserve Calendar, pending action on Building Zone Application No. 1254-23-BZ; and

WHEREAS, the Board has acted on the said Building Zone Application under date of July 12, 1938, and amended the same.

Resolved, that this appeal be and it hereby is *dismissed.*

280-38-A.

APPLICANT—Sheppard Glueroft, for B. Gertz, Inc., lessee for Benar Holding Corp., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—162-10 Jamaica avenue, south side, 70 ft. east of 162nd street, 92-15 Union Hall street and 92-14 New York boulevard, (Block No. 1052, Lot Nos. 4-6-13-79), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: Sheppard Glueroft.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(280-38-A)

WHEREAS, Sheppard Glueroft, for Benar Holding Corp., owner, filed on April 18, 1938, an appeal from an order and a decision of the fire commissioner, affecting premises 162-10 Jamaica avenue, south side 70 ft. east of 162nd street, 92-15 Union Hall street and 92-14 New York boulevard (Block No. 1052, Lot Nos. 4, 6, 13, 79), Jamaica, Borough of Queens; and

WHEREAS, the order of the fire commissioner, dated June 7, 1937, No. 71392-LC reads:

"1. Either remove the refrigerating chemical from each refrigerating system, or provide tight partitions with close-fitting self-closing doors for each room wherein such system is offered for sale or use of demonstrating purpose."

and

WHEREAS, the said order was repeated in a decision of the fire commissioner, dated April 5, 1938; and

WHEREAS, the building is 6 stories (75 ft.) in height, 108 ft. by 175 ft. in area on 1st story and 71 ft. by 175 ft. in area at typical floor level; of non-fireproof construc-

tion; equipped with a sprinkler system; erected in 1925; located in business use district and occupied throughout as a department store, for which Certificate of Occupancy No. 2895 was issued April 3, 1934; and

WHEREAS, there are located for sale in various parts of the building, approximately 23 refrigerators of various types, containing chemical refrigerants; and

WHEREAS, the applicant contends that compliance with the order of the fire commissioner would render it impossible to demonstrate these machines and respectfully requests a modication of the order of the fire commissioner.

Resolved, that the order of the fire commissioner, No. 71392-LC, be and it hereby is *granted, on condition* that no refrigerator containing more than 6 bs. of refrigerant shall be displayed; that not more than one model of each size, of each make, containing refrigerant shall be displayed; that no such refrigerator shall be located nearer than 25 ft. to a means of exit or an elevator or escalator; that the space in which refrigerators containing refrigerant are displayed, shall be ventilated by mechanical ventilation, unless windows are provided, opening to the outer air and not opening upon shafts or interior courts; that if refrigerators containing refrigerant are stocked in the same building where displayed, they shall be on a floor or portion of a floor entirely separated from a space where customers are admitted, by walls or partitions reasonably vaporproof and such storage space shall be ventilated to the satisfaction of the fire commissioner.

650-38-A.

APPLICANT—Austin W. Magee and Max Grossgold for Max Abramson, lessee, for Maida Holding Corporation, owner.

SUBJECT—Appeal from an order and decision of the fire commissioner.

PREMISES AFFECTED—37-02 to 37-08 Main street, south west corner of 37th avenue (Block No. 4974, Lot No. 27), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Austin W. Magee.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(650-38-A)

WHEREAS, Austin W. Magee and Max Grossgold for Max Abramson, lessee, for Maida Holding Corporation, owner, filed on July 20, 1938, an appeal from an order and decision of the fire commissioner affecting premises 37-02 to 37-08 Main street, southwest corner of 37th avenue (Block No. 4974, Lot No. 27), Flushing, Borough of Queens; and

WHEREAS, Order No. 71759-LC, issued by the Fire Commissioner, June 29, 1937, reads:

"1. Either remove the refrigerating chemical from each refrigerating system or provide tight partitions with close fitting self-closing doors for each room wherein such system is offered for sale or use of demonstrating purposes."

and

WHEREAS, the said order was repeated in a decision of the fire commissioner, dated June 23, 1938; and

WHEREAS, the building is three stories (35 ft.) in height, 72 ft. by 232.10 ft. in area, of non-fireproof construction, equipped with a standpipe and sprinkler system, located in a business use district, and occupied as a department store throughout; and

WHEREAS, there are located for sale in various parts of the building, refrigerators of various types, containing chemical refrigerants; and

WHEREAS, the applicant contends that compliance with the order of the fire commissioner, would render it impossible to demonstrate these machines and respectfully requests a modification of the order of the fire commissioner.

Resolved, that the order of the fire commissioner, No. 71759-LC, be and it hereby is *granted, on condition* that no refrigerator containing more than 6 lbs. of refrigerant shall be displayed; that not more than one model of each size, of each make, containing refrigerant shall be displayed; that no such refrigerator shall be located nearer than 25 ft. to a means of exit or an elevator or escalator; that the space in which refrigerators containing refrigerant are displayed, shall be ventilated by mechanical ventilation, unless windows are provided, opening to the outer air and not opening upon shafts or interior courts; that if refrigerators containing refrigerant are stocked in the same building where displayed, they shall be on a floor or portion of a floor entirely separated from a space where customers are admitted, by walls or partitions reasonably vaporproof and such storage space shall be ventilated to the satisfaction of the fire commissioner.

748-38-A.

APPLICANT—Jack Z. Cohen, for Metal Etching Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—506-516 Wortman avenue and 943-953 Essex street, southeast corner (Block No. 4407, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer and Joseph F. Carroll.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Absent 0

THE RESOLUTION—

(748-38-A)

WHEREAS, Jack Z. Cohen, for Metal Etching Corporation, owner, filed on August 26, 1938, an appeal from an order of the fire commissioner affecting premises 506-516 Wortman avenue and 943-953 Essex street southeast corner (Block No. 4407, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the order No. 76143-LC of the fire commissioner, dated July 27, 1938, reads:

"1. Discontinue the use of ducts used for ventilating, spraying, dipping or immersing spaces which do not run as direct as possible to outer air. Rule 4.2.3-a, Spray Rules.

4. Provide ventilated plain glass skylight for separate exterior storage building used for the storage of spraying material in excess of 100 gallons spraying material. Rule 6.1.3-c. Spray Rules.

5. Discontinue the maintenance of any open flame or sparking device (drying oven) within floor area where spray coating is carried on, or separate said open flames or sparking device by partitions constructed of fireproof or fire-resisting material. Rule 6.1.8-a, Spray Rules, OR

Provide an air intake duct leading from outside the building to drying oven.

6. Provide sprinkler heads, installed in accordance with the Sprinkler Rules of the Board of Standards and Appeals, in all spray, dipping or immersing spaces and storage rooms. Rule 6.3, Spray Rules.

NOTE: In sprinklered buildings, sprinkler connection may be made to the house water supply.

8. Discontinue process of coating plates with collodion or rubber cement within 20 ft. of open flame (gas range) C-19-11.0, Administrative Code.

10. Reduce the storage of sodium chlorate to not exceeding 25 lbs. C-19-11.0, Administrative Code.

11. Provide an approved buried storage system for storage of toluol (salvasol No. 1). Plans and specifications in duplicate must be filed with and approved by Division of Buildings, before the above work may be commenced. C-19, Title C, Part 1, Art. 8, OR

Reduce the storage of same to not exceeding 5 gallons in an approved safety can."

and

WHEREAS, the building is one story (12 and 20 ft.) in height, 60 ft. by 85 ft. in area; of non-fireproof construction; located in an undetermined district; erected in 1914; occupied: Cellar—buffing, shipping and storage, 10 persons; 1st floor—manufacture of metal etchings, 35 persons; mezzanine—photo room, 3 persons; and

WHEREAS, the applicant contends that the lacquer room now has small booths connected directly to the outer wall, with individual blowers. The spraying materials are now kept in an outside fireproof storage building; the drying oven, for lacquer drying, which is operated by gas, having no exposed flame, is in itself insulated; that the occupants of this building find that the present layout is an ideal one, and in their operations take every precaution possible; and

WHEREAS, the premises were inspected by a Committee of the Board, whose verbal report was that the order should be complied with.

Resolved, that the order of the fire commissioner, No. 76143-LC, be and it hereby is *affirmed,* and that the appeal be and it hereby is *denied.*

927-38-A.

APPLICANT—Croker Fire Prevention Corporation, for Central Hanover Bank and Trust Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—56 East 11th street, south side, 206 ft. east of University place (Block No. 562, Lot No. 12), Borough of Manhattan.

APPEARANCES—

For Applicant: Sydney L. Strauss.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(927-38-A)

WHEREAS, Croker Fire Prevention Corporation, for Central Hanover Bank and Trust Company, owner, filed on October 26, 1938, an appeal from an order of the fire commissioner, affecting premises 56 East 11th street, south side, 206 ft. east of University place (Block No. 562, Lot No. 12), Borough of Manhattan; and

WHEREAS, Order No. 1778-LF, issued by the fire commissioner dated August 2, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply, arranged and equipped as per Art. 16, Chapter 26, C. 19-161.0 Administrative Code."

WHEREAS, said order was referred to in a decision of the fire commissioner, dated September 29, 1938; and

WHEREAS, the building is 9 stories (121 ft. 1½ in.) in height, 25 ft. by 89 ft. in area; of fireproof construction; erected in 1899; equipped with a standpipe system; located in a business use district and occupied as follows: Cellar—boilerroom, elevator machinery room and storage of lumber, no persons; 1st floor—office, shipping and storage of lumber, 2 persons; 2nd floor—vacant; 3d floor—mfg. mops and novelties, 5 persons; 4th floor—vacant; 5th floor—office and storage of paper, 2 persons; 6th floor—mfg. wave lotion, 2 persons; 7th floor—printing, 6 persons; 8th floor—printing, 4 persons; 9th floor—mfg. ladies hats, 10 persons; for which no certificate of occupancy has been issued, and

WHEREAS, the applicant contends that the building is equipped with a standpipe system installed in accordance with the requirements of the law; that due to the fact that the construction directly over the area affected, consists of solid brick arches, affording the maximum in fire protection, and in view of the fact that the premises have been occupied as they are for many years, and all storage is maintained in an orderly fashion with proper aisle space, etc., it is respectfully requested that the conditions as they now exist be accepted.

Resolved, that the order of the fire commissioner, No. 1778-LF, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that a non-automatic sprinkler system shall be installed throughout the cellar; such system need not include automatic or other type of fire alarm, but in all other respects shall be in accordance with the Sprinkler Rules of the Board of Standards and Appeals applying to factory buildings, except that all pipe fittings shall be of malleable iron; that the sprinkler heads may be spaced 25% in excess of the requirement and shall be supplied from the street front by a pipe riser equal to the diameter of the number of heads installed in the cellar, but such riser shall be not less than 3 in. or more than 4 inches; that the street pipe shall be fitted with 3-inch single swivel pumper connection without clapper valve, as approved by the Board of Standards and Appeals for flush type siamese; that the pumper connection shall be fitted with an approved cap or plug and shall have an approved sign, indicating the type of system and portions of the premises protected; that the signs, caps and plugs shall be painted aluminum.

928-38-A.

APPLICANT—Croker Fire Prevention Corporation, for Central Hanover Bank and Trust Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—217-219 Mercer street, west side, 132 ft. north of Bleecker street (Block No. 533, Lot No. 29), Borough of Manhattan.

APPEARANCES—

For Applicant: Sydney L. Strauss.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(928-38-A)

WHEREAS, Croker Fire Prevention Corporation, for Central Hanover Bank & Trust Company, owner, filed on October 26, 1938, an appeal from an order of the fire commissioner, affecting premises 217-19 Mercer street, west side 132 ft. north of Bleecker street (Block No. 533, Lot No. 29), Borough of Manhattan; and

WHEREAS, Order No. 1874-LF, issued by the fire commissioner August 9, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar and subcellar, having at least one source of water supply, arranged and equipped as per Art. 16, Chapt. 26, C.19-161.0, Administrative Code."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner, dated September 27, 1938; and

WHEREAS, the building is 5 stories (92 ft., 6 in.) in height, 56 ft., 10 in. by 50 ft. in area, of non-fireproof construction; erected 1894; located in an unrestricted use district and occupied as follows: sub-cellar—boiler room

and elevator machinery room, 1 person; cellar—wrapping and paper storage, no persons; 1st floor—show and stock rooms—1 person; 2nd floor—mfg. cap fronts, 3 persons; 3rd floor—hardware showroom and stockroom, 2 persons; 4th floor—mfg. paper clips, 2 persons; 5th floor—vacant; and

WHEREAS, the applicant contends that the storage is such that it might be considered as slow-burning and further that the building is equipped with an interior fire alarm system; it is respectfully requested that the conditions as they now exist, be accepted.

Resolved, that the order of the fire commissioner, No. 1874-LF be and it hereby is *modified* and that the appeal be and it hereby is *granted, on condition* that the sub-cellar shall remain vacant at all times, except for utilities and that in the cellar there shall be installed a non-automatic sprinkler system, which shall meet all the requirements of the Sprinkler Rules of the Board of Standards and Appeals, except that an automatic or other type of fire alarm need not be installed in connection with the sprinkler system; that all pipe fittings shall be of malleable iron; that the sprinkler heads may be spaced 25% in excess of the requirements and shall be supplied from the street front by a pipe riser equal in diameter to the number of heads installed in the cellar; that such riser shall be not less than 3 inches or more than 4 inches; that the street pipe shall be fitted with a 3-inch single swivel pumper connection without clapper valve, as approved by the Board of Standards and Appeals for flush type siamese; that the pumper connection shall be fitted with an approved cap or plug and shall have an approved sign indicating the type of system and portions of the premises protected and that the sign, cap and plug shall be painted aluminum.

935-38-A.

APPLICANT—Croker Fire Prevention Corporation, for Central Hanover Bank and Trust Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—101 Spring street and 104-108 Mercer street, northeast corner (Block No. 498, Lot No. 27), Borough of Manhattan.

APPEARANCES—

For Applicant: Sydney L. Strauss.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(935-38-A)

WHEREAS, Croker Fire Prevention Corporation, for Central Hanover Bank and Trust Company, owner, filed on October 26, 1938, an appeal from an order of the fire commissioner, affecting premises 101 Spring street and 104-8 Mercer street, northeast corner (Block No. 498, Lot No. 27), Borough of Manhattan; and

WHEREAS, Order No. 974-LF, issued by the fire commissioner June 16, 1938, reads:

"1. Provide an automatic fire alarm complete with Central Office connection (in basement and sub-basement). ALL work shall be done in a manner satisfactory to the fire commissioner and in accordance with established practice and trade custom. Full information as to the number, type and the spacing of alarm actuating devices shall be furnished to the fire commissioner and his approval secured before the work may be commenced. Art. 16, Ch. 26 of the Administrative Code."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner, dated October 24, 1938; and

WHEREAS, the building is 5 stories (74 ft. 4in.) in height, 25 ft. by 75 ft. in area; of non-fireproof construction; erected in 1870; located in an unrestricted use district and occupied: Subcellar—boilerroom and elevator machinery, 1 person; Cellar—storage of hardware, no persons; 1st floor—hardware store, 2 persons; 2d floor—mfg., 10 persons; 3d floor—mfg., 7 persons; 4th floor—mfg., 5 persons; 5th floor—mfg., 6 persons, for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that at the present time the sub-cellar contains the boiler room and elevator machinery; that the cellar is used for storage of metal parts, etc., and both areas are equipped with a non-automatic sprinkler interconnected to a 4-inch Siamese located in the street front of the building. It is respectfully requested that the non-automatic sprinkler system be accepted in lieu of compliance with order.

Resolved, that the order of the fire commissioner No. 974-LF be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the existing non-automatic sprinkler system in the cellar and sub-cellar shall substantially meet the requirements therefor, as set forth in the Sprinkler Rules of the Board of Standards and Appeals and shall be maintained to the satisfaction of the fire commissioner.

1024-38-A.

APPLICANT—Progressive Fuel Oil Company, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner re transportation of fuel oil in tank truck (not of approved type) in New York City.

APPEARANCES—

For Applicant: Flynn Andrews and Paul Schultz.

For Administration: Inspector Hille, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1024-38-A)

WHEREAS, Progressive Fuel Oil Co., Inc., owner, filed on November 15, 1938, an appeal from an order of the fire commissioner affecting the transportation of petroleum, shale oil or coal tar in a truck stored at No. 2441 Cropsey avenue, northeast corner of Bay 37th street (Block No. 6892, Lot No. 7), Borough of Brooklyn; and

WHEREAS, Order No. 14675-LC, issued by the fire commissioner on October 31, 1938, reads:

"An inspection of Truck No. 8 Mack Chassis No. BX1D1073, used by you for the transportation of any liquid product of petroleum, shale oil or coal tar, as required by Chapter 19, Title C, Part 1, Article 10 of the Administrative Code of the City of New York, shows the following requirements necessary before a permit can be issued:

1. Provide a tank constructed in accordance with the specifications set forth in Section 5.

It is unlawful for you to operate this truck on a public highway without a permit from the fire chief and commissioner."

and

WHEREAS, the truck is the applicant's No. 8 Mack Chassis No. BX1D1073, upon which is mounted a 2,500-gallon, five-compartment tank, used for transportation of Nos. 2, 3 and 4 fuel oil. The weight of the Chassis is 11,470 lbs., and the combined weight of tank and chassis is 18,110 lbs.; and

WHEREAS, the applicant contends that the principal variance from the requirements of Section 5 of the Rules is that the wheel pockets were built into the bottom of tank shell, thereby necessitating longitudinal welds at in-

tersection of wheel pocket and shell instead of the longitudinal wheel pockets near top required; that the welding is stronger than required because of the special tank construction and is in conformity with the regulations in force in every other State of the Union; that the truck is fully equipped with signals, fire extinguishers and complies in every other respect with the requirements of the fire department.

Resolved, that the order of the fire commissioner, No. 14675-LC, be and it hereby is *modified*, and that the appeal be and it hereby is *granted on condition* that in all other respects the tank complies with all requirements relative thereto.

1025-38-A.

APPLICANT—Mac L. Reiser, for Frank C. Beach, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—180 South Oxford street, west side, 371 ft. 8 in. north of Atlantic avenue (Block No. 2004, Lot No. 66), Borough of Brooklyn.

APPEARANCES—

For Applicant: Mac L. Reiser.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1025-38-A)

WHEREAS, Mac L. Reiser for Frank C. Beach, owner, filed on November 15 1938, an appeal from a decision of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 180 South Oxford street, west side, 371 ft. 8 in. north of Atlantic avenue (Block No. 2004, Lot No. 66), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Superintendent, on Alt. App. No. 13288-38, dated November 8, 1938, reads:

"Occupancy of frame building for two (2) families on three (3) floors contrary to Sec. 8.7.2.1 Building Code."

and

WHEREAS, the building is 3 stories (33 ft.) in height, 22 ft. by 35 ft. in area on 3rd floor; of frame construction; located in a business use "B" area district; erected in 1888 and occupied as one family dwelling; it is proposed to occupy the building as follows: Basement—storage, laundry and boiler room; 1st and 2nd floors, combined, 1 family; 3rd floor—1 family; and

WHEREAS, the applicant contends that as required by Section 4.1.5, the building is in compliance with Section 4.1.3, in that it has less than eight livable rooms per family, occupying approximately 33% of the plot; that the distance from the northerly lot line is 3 ft.; that the building complies with Section 4.2.2. as there is no increase in height contemplated; that the building complies with Section 4.2.3 as there is no increase in area or number of rooms proposed; that Section 8.2.1, under which the objection of the Borough Superintendent is placed is merely a cross reference to Article 4; that the entire Article 8 is devoted to mode of construction, while Article 4 is devoted to general restrictions, such as location, height and area.

Resolved, that the decision of the borough superintendent in acting on Alt. Applic. No. 13288-38, be and it hereby is *modified,* and that the appeal be and it hereby is *granted* to permit the occupancy of the frame building for two families, one family on the 1st and 2nd floor and one family on the 3rd floor, *on condition* that the building shall not be further increased in height or area and that an agreement signed by the owner, shall be filed with the borough superintendent, stipulating that at no time will the building be occupied by more than two families; and that in all other respects the requirements of the Building Code applying to buiding and occupancy shall be complied with.

1039-38-A.

APPLICANT—Hald Pneumatic Systems, for Philco Venetian Blind Company, lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—215 Butler street, north side, 221 ft. east of Bond street (Block No. 405, Lot No. 57), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. S. Pollard.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1039-38-A)

WHEREAS, Hald Pneumatic Systems, for Philco Venetian Blind Company, lessee, filed November 17, 1938, an appeal from an order and a decision of the fire commissioner, affecting premises 215 Butler street, north side, 221 ft. east of Bond street (Block No. 405, Lot No. 57), Borough of Brooklyn; and

WHEREAS, the order No. 76649-LC of the fire commissioner, dated September 15, 1938, reads:

"With reference to your application for a permit to store 50 gallons of lacquers and thinners, for spraying purposes, at 215 Butler street, Brooklyn, please be advised that the fire department is without power to issue said permit for the reason that a recent inspection of the premises, shows that the premises are used for dwelling purposes.

This is a violation of the Spray Rules, adopted August, 1937, reading as follows:

RESTRICTIONS: No spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or any other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes shall be permitted in any premises or portion thereof as follows:

Which is occupied as a Class A or B Multiple Dwelling or a dwelling for one or two families.

1. You are therefore ordered to remove all lacquers and thinners from the premises and discontinue the practice of spraying on said premises which is occupied for dwelling purposes."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated October 17, 1938; and

WHEREAS, the building is three stories and cellar (32 ft.) in height, 20 ft. by 100 ft. in area, of non-fireproof construction, located in an unrestricted use district, erected in 1926 and occupied as follows: Cellar—storage and boiler room; 1st floor—manufacturing venetian blinds, 6 persons; 2nd floor—dwelling, one family; 3d floor—same, for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that the portion of the 1st floor on which the spraying is conducted, was built as a separate unit and is practically separated from the portion of the building occupied for dwelling purposes and that some arrangements should be worked out to permit the present lessee to continue the use of the premises until expiration of existing lease.

Resolved, that the order of the fire commissioner, No. 76649-LC, be and it hereby is *modified,* and that the appeal

be and it hereby is *granted on condition* that the maintenance and arrangement of the 1st floor shall be maintained to the satisfaction of the fire commissioner and that the building shall not be further increased in height or area; that the building occupancy shall not be extended and that the window opening upon the one-story roof at the stairhall of the 2nd floor shall be made fireproof and self-closing; that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1054-38-A.

APPLICANT—John A. Toomey, for The Durkee Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—29 South street, northwest corner of Cuylers alley (Block No. 34, Lot No. 28), Borough of Manhattan.

APPEARANCES—

For Applicant: John A. Toomey.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1054-38-A)

WHEREAS, John A. Toomey, for The Durkee Company, owner, filed on November 23, 1938, an appeal from an order of the fire commissioner affecting premises 29 South street, northwest corner of Cuylers alley (Block No. 34, Lot No. 28), Borough of Manhattan; and

WHEREAS, Order No. 32227-F, issued by the fire commissioner on November 3, 1937, reads:

"1. Provide approved fireproof windows or iron shutters at all openings in the exterior wall above 1st story, which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane with said openings and which are not more than 50 ft. above a neighboring roof at north and south sides of building, or other approved protection as per Section 375, Art. 18, Chap. 5, Code of Ordinances."

and

WHEREAS, the said order was referred to in a decision of the fire commissioner, dated November 9, 1938; and

WHEREAS, the building is 5 stories (54 ft.) in height, 20 ft. by 80 ft. in area; of non-fireproof construction; located in unrestricted use district and occupied as follows: Cellar—vacant; 1st floor—stores, 3 persons; 2nd floor—office and storage, 11 persons; 3rd, 4th and 5th floors—storage, no persons; and

WHEREAS, applicant contends that the exposure is on the southwest side, fronting on the alley; that there are hydrants directly in front of the building; that the exposure on the northwest side fronts a solid brick wall, with the exception of one opening measuring 42 in. by 24 in. covered with an iron shutter and always kept close; that none of the exposures are facing a stairway and are not on a direct line with windows of other building; that the adjoining building which constitutes the exposure on the west side, is vacant with the exception of the first floor which is being occupied as a cafe and restaurant; that the first and second floors of the building in the rear are occupied, the balance of the building being vacant.

Resolved, that the order of the fire commissioner, No 32227-F, be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that the exposure building across Cuylers Alley remains vacant above the 1st story; that the window at 2nd story in the building at the rear, having one exposure window, shall be equipped with steel shutters which shall remain closed at all times.

1068-38-A.

APPLICANT—Emma Lawrence, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—32-36 Bleecker street and 309-311 Mott street, southwest corner (Block No. 521, Lot No. 11), Borough of Manhattan.

APPEARANCES—

For Applicant: Ralph Lawrence.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1068-38-A)

WHEREAS, Emma Lawrence, owner, filed on November 23, 1938, an appeal from an order and a decision of the fire commissioner affecting premises 32-36 Bleecker street and 309-311 Mott street, southwest corner (Block No. 521, Lot No. 11), Borough of Manhattan; and

WHEREAS, order No. 1989-LF, issued by the fire commissioner, dated August 13, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar, having at least one source of water supply, arranged and equipped as per Article 16, Chapt. 26, Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner, dated October 27, 1938; and

WHEREAS, the building is 6 stories (75 ft.) in height, 80 ft. by 135 ft. 6 in. in area, of fireproof construction (old type); equipped with a standpipe system in the basement consisting of 2-inch horizontal line fed through a 2-inch Thompson meter with branches to outer walls, equipped with 3 hose outlets. The building was erected 1885, altered in 1915 and is located in a business use district and occupied since 1924, as a warehouse for the storage of new, tightly packed and crated paper; 9 persons throughout the building; and

WHEREAS, the applicant contends that the building is situated on a corner with access from two streets; there is a yard on the westerly side accessible through the brick house next door; that there is a yard in the rear southwest corner, accessible through the hallway next door at street level; that there are vault lights the length of the Bleecker street side of the building, giving ready access to the basement; that one tenant occupies the whole building; that no manufacturing of any kind is done on the premises; that the boiler room in cellar is brick enclosed; that there are fire pails throughout; that the building throughout and in the basement particularly, is kept neat and orderly with wide aisles and spaces from top of crates to ceiling and that compliance with this order would work a serious hardship on the owner.

Resolved, that the order of the fire commissioner, No. 1989-LF, be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that the windows opening into cellar from Bleecker street are replaced with fireproof windows, glazed with plain glass or wire glass, provided the existing bars and wire netting are entirely removed.

1088-38-A.

APPLICANT—Harry Greenberg, for Reynolds Metals Company, for Caney Realty Corporation, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—84-49 and 85-05 Elmhurst avenue, west side, 222 ft. 11⅝ in. south of Judge street (Block No. 1518, Lot No. 50), Elmhurst, Borough of Queens.

APPEARANCES—
For Applicant: Harry Greenberg.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1088-38-A)

WHEREAS, Harry Greenberg, for Reynolds Metals Company, for Caney Realty Corporation, owner, filed on November 29, 1938, an appeal from decisions of the Borough Superintendent, Dept. of Housing and Buildings, affecting premises 84-49 and 85-05 Elmhurst avenue, west side, 222 ft. 11⅝ in. south of Judge street (Block No. 1518, Lot No. 50), Elmhurst, Borough of Queens; and

WHEREAS, the decisions of the Borough Superintendent on N. B. App. Nos. 6403 and 6404-38, dated November 25, 1938, read:

"The material (Ecod Welded Wire Fabric) proposed as a lath is not of an approved type."

and

WHEREAS, the proposed buildings will be 6 stories (63 ft.) in height, 71 ft. 10¼ in. by 149 ft. 8 in. in area each, of non-fireproof construction; located in a residence use district; occupied throughout as a class "A" multiple dwelling; it is proposed to use Ecod lath throughout the buildings; and

WHEREAS, the applicant contends that this material should be allowed to be applied continuously throughout a 6-story non-fireproof building without interruption or the necessity of applying plaster to any portion of the building prior to the completion of the application of the lath as the paper backing is flame-proofed.

Resolved, that the decisions of the Borough Superintendent, acting on N. B. Application Nos. 6403 and 6404-1938, be and they hereby are *modified,* and the appeal be and it hereby is *granted on condition* that such lath shall comply with the requirements of the Approval of the Board of Standards and Appeals under Cal. No. 714-38-SM and that the installation of the lath in buildings shall in every respect meet the requirements of the Building Code as to lath.

1090-38-A.

APPLICANT—E. Dudley Barlow, for Margaret T. Darrell, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1423 Hollywood avenue, west side, 128.42 ft. north of Coddington avenue (Block No. 5402, Lot No. 32), Borough of The Bronx.

APPEARANCES—
For Applicant: Salvatore Viscardi.
For Administration: M. C. E. Theide, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1090-38-A)

WHEREAS, E. Dudley Barlow, mortgagee, for Margaret T. Darrell, owner, filed November 29, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises 1423 Hollywood avenue west side, 128.42 ft. north of Coddington avenue (Block No. 5402, Lot No 32), Borough of the Bronx; and

WHEREAS, the decision of the borough superintendent of buildings on N. B. application No. 477-38, dated November 14, 1938, reads:

"1. Frame building prohibited inside fire limits. Section 4.1.3 of the Building Code."

and

WHEREAS, the premises consist of a plot 50 ft. by 95.75 ft. in area, upon which there exists a 2½ story frame dwelling and a 3-car frame garage, 1 story (18 ft.) in height, 25 ft. 8 in. by 19 ft. in area, in a residence use "C" area district, both buildings erected in 1924, the garage having been erected without plans being approved; and

WHEREAS, applicant contends that the garage in question was erected at the same time as the building on the front of the lot; that is 1924; that upon receipt of a violation dated August 11, 1938, plans were filed for the garage and approved November 4, 1938; that subsequently on November 14, 1938, plans were disapproved with the objection, which is the subject of this appeal; that at the time of its erection the garage, building was outside the fire limits; that the garage is a frame and stucco construction and is of no greater hazard than other frame garages in the neighborhood, and that it is proposed to brick fill the walls of the garage within 3 feet of the lot line.

Resolved, that the decision of the Borough Superintendent, acting on N.B. Application No. 477-38, be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that in all other respects the building shall comply with all the requirements for a garage as an accessory to residence building in a residence district, as required for such a building outside the fire limits; that the building shall not be increased in height and area and that the use shall continue only so long as the plot is used for residential purposes for not more than one or two families.

1091-38-A.

APPLICANT—Shreve, Lamb & Harmon-Harrison & Fouilhoux, Associated Architects. for Board of Higher Education, City of New York. owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—924-942 Lexington avenue, 657-699 Park avenue, 57 East 68th street and 54 East 69th street (Hunter College); (Block No. 1403, Lot No. 1), Borough of Manhattan.

APPEARANCES—
For Applicant: D. U. Rasanen and E. W. Ketchum.
For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1091-38-A)

WHEREAS, Shreve, Lamb and Harmon, Harrison & Fouilhoux, Associated Architects, for Board of Higher Education, of the City of New York, owner, filed on November 28, 1938, an appeal from a decision of the fire commissioner affecting premises 657-699 Park avenue, 57 East 68th street, 924-942 Lexington avenue and 54 East 69th street (Hunter College); (Block No. 1403, Lot No. 1), Borough of Manhattan; and

WHEREAS, the decision of the fire commissioner, dated November 3, 1938, re NY-7415-F, reads:

"We regret the delay in replying to your communication of October 5, 1938, which was due to our misunderstanding.

Please be advised that the present Administrative Code makes no provisions for the use of refrigerating systems containing more than 20 pounds of Freon-12 in a school occupancy.

With exception of the proposed installations in the sub-cellar (ice making room) and sub-cellar (pump room-drinking water) the other locations are in accordance with the present code and a permit may be issued."

and

WHEREAS, the proposed building will be 16 stories, basement, cellar and sub-cellar (238 ft.) in height to the top of bulkhead, 200 ft. 10 in. by 305 ft. 2 in. in area of fireproof construction, equipped with a standpipe and a sprinkler system, located in a residence and business use, "B" area district to be occupied throughout as Hunter College; and

WHEREAS, the applicant contends that the proposed refrigeration installation will be located in the sub-cellar area, away from the student activities and will be in charge of employees holding certificates of qualification and no persons will be permitted to enter the compartment where the refrigerating machines are installed, other than such persons holding certificates of qualification; installations will be as follows: 1, 1,000-pound ice maker containing 40 pounds of Freon in sub-cellar; 2 compressors containing 100 pounds each of Freon; 2 cooling tanks containing 40 pounds each of Freon, having a total capacity of 280 pounds of Freon, in sub-cellar pump room; that the rooms containing refrigerating machinery will have satisfactory ventilating fans with separate ducts to the air; fan controls will be located outside the refrigerating machinery rooms and doors will be self-closing and gas tight; all piping passing through walls and ceilings will be caulked gas-tight; an approved gas mask will be installed in a cabinet accessible on the exterior of the storage compartment and signs posted in accordance with the provisions of the administrative code; that this type of installation is the only satisfactory and economical system for the purposes intended. It is respectfully requested that relief be granted.

Resolved, that the decision of the fire commissioner, in connection with NY-7415-F (Bldg. Dept. N.B. 211-37), be and it hereby is *granted on condition* that in all other respects the refrigerating system proposed shall meet the requirements of the Refrigerating Code and shall be maintained to the satisfaction of the fire commissioner; that those in charge of the systems shall hold Certificates of Qualification issued by the Department of Housing and Buildings or Licenses as stationary engineers.

1097-38-A.

APPLICANT—Interborough Engineering Co., for United Metal Goods Manufacturing Co., owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—197 Broadway, north side, 124.4 ft. east of Driggs avenue (Block No. 2446, Lot No. 93), Borough of Brooklyn.

APPEARANCES—

For Applicant: R. Perietto.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(1097-38-A)

WHEREAS, the Interborough Engineering Co., for the United Metal Goods Manufacturing Co., owner, filed on November 30, 1938, an appeal from an order and decision of the fire commissioner affecting premises 197 Broadway, north side, 124.4 ft. east of Driggs avenue (Block No. 2446, Lot No. 93), Borough of Brooklyn; and

WHEREAS, Order No. 76811-C issued by the fire commissioner October 14, 1938, reads:

"You are hereby notified that Permit No. 258212, expiring July 23, 1939, authorizing the storage and use of 25 gallons paint, 10 gallons thinner and 5 gallons lacquer, is revoked for the reason that the Spray Rules of the Board of Standards of Appeals, prohibits the spraying, dipping or immersing of any article or thing within the City of New York with any flammable paints, varnishes, lacquers or other flammable substances, mixtures or compounds commonly used for painting, varnishing, staining or similar purposes, on any premises occupied as a Class A or B multiple dwelling for one or two families. Rule 1.3.1, Spray Rules.

2. You are, therefore, ordered to remove all paints, varnishes, lacquer, etc., from the premises and discontinue the further storage and use of same, for spraying purposes."

and

WHEREAS, the said order was repeated in a decision of the fire commissioner, dated November 18, 1938; and

WHEREAS, the building is 3 stories (28 ft.) in height, 21 ft. by 97 ft. in area at 1st floor and 21 ft. by 37 ft. in area above; of non-fireproof construciton; located in an unrestricted use district; erected about 1900 and occupied since 1920 as follows: Cellar—boiler-room and storage, no persons; 1st floor—office, spraying, polishing and storage, 7 persons; 2nd floor—storage, no persons; 3rd floor—dwelling, one family; and

WHEREAS, the applicant contends that the dwelling on the 3rd floor has been occupied by the same family for over 15 years; that the spray booths are located in the extreme rear of the extension, which is about 60 feet horizontally from the rear window of the apartment; these spray booths are very small; that the spraying is done under air pressure of 70 lbs. with a spray gun with a capacity of only 1 pt. of paint at a time; that the spray booths are equipped with exhaust fans connected directly to individual metal ducts extending above the roof of the extension; that there is an exit from the spraying portion to the rear yard and directly in back of this yard is a street fenced off and not open to the public; that the lighting fixtures within 10 ft. of the spray booths are of the rigid stem type having vaporproof globes protected by wire guards; that the ceiling over spray booths is covered with metal and the floor is of concrete; that there are numerous skylights on the extension with three skylights equipped with adjustable louvres, giving adequate ventilation to the entire first floor and that there are fire escapes on the front of the building for the family on the 3rd floor.

Resolved, that the order of the fire commissioner, No. 76811-C, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the building shall not be increased in height or area; that the original occupancy shall not be increased; that the exits shall be maintained in compliance with all laws applicable thereto; that the paint-spraying and lacquering shall in all other respects comply with the Paint Spraying Rules of the Board of Standards and Appeals; and the building and occupancy shall comply with all other laws, rules and regulations applicable thereto.

1099-38-A.

APPLICANT—Frederick Pustet Co., Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—14 Barclay street, south side, 263 ft. west of Broadway (Block No. 88, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Ellyn Papke.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1099-38-A)

WHEREAS, Frederick Pustet Co., Inc., owner, filed on November 30, 1938, an appeal from an order of the fire commissioner, affecting premises 14 Barclay street, south side, 263 ft. west of Broadway (Block No. 88, Lot 14), Borough of Manhattan; and

WHEREAS, Order No. 2187-LF, issued by the fire commissioner October 31, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar and subcellar, having at least one source of water supply arranged and equipped as per Art. 16, Ch. 26, Administrative Code."

and

WHEREAS, the building is 5 stories (62 ft.) in height, 25 ft. by 98 ft. in area, of nonfireproof construction; erected approximately in 1858; located in an unrestricted use district and occupied as follows: Subcellar—store, no persons; Cellar—storage and shipping, 5 persons; 1st floor—store, 5 persons; 2nd floor—display room, no persons; 3rd floor—office, 7 persons; 4th floor—religious articles, 4 persons; 5th floor—stockroom, no persons; for which Certificate of Occupancy was issued in 1932 upon completion of alterations; and

WHEREAS, the applicant contends that the cost of compliance with this order at the present time would create a hardship and that installation of perforated pipes in the cellar and subcellar with outlets on the street level, be permitted in lieu of compliance with the order.

Resolved, that the order of the fire commissioner, No. 2187-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that a non-automatic sprinkler system shall be installed in the cellar and subcellar; that an automatic or other type of alarm shall not be required in connection with such system; that all pipe fittings shall be of malleable iron and the system otherwise installed in accordance with the requirements of Article 16 of the building code, except the sprinkler heads may be spaced 25 per cent in excess of the requirements as therein set forth and shall be supplied from street front by a pipe riser equal in diameter to the number of heads to be supplied in either cellar or sub-cellar, but shall not be less than 3 inches or more than 4 inches; that the street pipe shall be fitted with 3-inch, single swivel pumper connection without clapper valves, as approved by the Board of Standards and Appeals for flushtype siamese; that the pumper connection shall be fitted with an approved cap or plug and shall have an approved sign indicating the type of system and portions of the premises protected and that the signs, plugs and caps shall be painted aluminum.

1104-38-A.

APPLICANT—Walter Pfaendler, for E. W. Bliss Company, owner.

SUBJECT—Appeal from a decision of the fire commissioner.

PREMISES AFFECTED—1-53rd street, north side, 1200 ft. west of First avenue (Block No. 803, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Walter Pfaendler.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal denied.

THE VOTE TO GRANT—

Affirmative 0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Absent 0

THE RESOLUTION—

(1104-38-A)

WHEREAS, Walter Pfaendler, for E. W. Bliss Company, owner, filed on December 1, 1938, an appeal from a decision of the fire commissioner affecting premises 1 53rd street, N.S., 1200 ft. west of First avenue (Block No. 803, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the fire commissioner, rendered November 25, 1938, reads as follows:

"In response to your request of November 22, 1938, this Department regrets that it is unable to issue a permit to your concern for TWO POUNDS OF UNPULPED GUN COTTON, to be used in the manufacture of torpedoes for the Brazilian Government, for the reason that to permit this storage would be a violation of Section C19-37-0 of the Administrative Code."

and

WHEREAS, the building is one story (14 ft.) in height, 50 ft. by 100 ft. in area; of fireproof construction; erected in 1928; located in unrestricted use district; occupied for storage; no persons; and

WHEREAS, the applicant contends that it is and has been for many years engaged in the manufacture of ordnance particularly U. S. Automobile Torpedoes, and now has orders for the manufacture of parts for similar ordnance; that it is necessary for the proper fulfillment of these orders together with government specification, to use gun cotton; that the gun cotton as used and stored in what is known as Unpulped Gun Cotton and will be kept in a metal container locked in a fireproof compartment open to sky; and

WHEREAS, the board deemed that storage of this material would create an extreme hazard.

Resolved, that the decision of the fire commissioner be and it hereby is *affirmed* and that the appeal be and it hereby is *denied*.

1106-38-A.

APPLICANT—A. G. Hillberg, for New York Medical College, Flower and Fifth Avenue Hospitals, owners.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—254 West 100th street, south side, 86.6 ft. east of West End avenue (Block No. 1871, Lot No. 61A), Borough of Manhattan.

APPEARANCES—

For Applicant: A. G. Hillberg.

For 9dministration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1106-38-A)

WHEREAS, A. G. Hillberg, for New York Medical College, Flower and Fifth Avenue Hospitals, owners, filed on November 30, 1938 an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 254 West 100th street, south side, 86 ft. 6 in. east of West End avenue (Block No. 1871, Lot No. 61-A), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alt. Application No. 3278-38, dated November 22, 1938, reads:

"Proposed garage in dwelling fails to comply with the requirements of Sec. C19-67.0 Administrative Code."

and

WHEREAS, the building is 3 stories (35 ft.) in height, 21

ft. 3¼ in. by 36 ft. in area; of non-fireproof construction; located in residence use district; erected about 1890; occupied as a Class A Multiple Dwelling; and

WHEREAS, it is proposed to alter the building to a private dwelling, to be used as follows: Cellar—boiler room and storage; basement—kitchen, dining room and garage; 1st, 2nd and 3rd floors—dwelling; and

WHEREAS, the applicant contends the building when altered, will be occupied by a physician as a private residence; that it will be a great convenience to the occupant to be able to garage a car in the basement of the building and that in view of the light occupancy it is requested that a modification be granted, to permit the construction of the garage in the basement as requested.

Resolved, that the decision of the borough superintendent, acting on Alt. Application No. 3278-38, be and it hereby is *modified*, and the appeal be and it hereby is *granted* so as to permit the occupancy of three floors above the proposed garage, as dwelling, *on condition* that the entire building shall be occupied by one family for residential purposes and that in all other respects the building and occupancy shall comply with all laws, rules and regulations applicable thereto.

1109-38-A.

APPLICANT—Croker Fire Prevention Corporation, for Chase National Bank, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—533-537 West 34th street, north side, 400 ft. west of Tenth avenue (Block No. 706, Lot Nos. 14 and 15), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1109-38-A)

WHEREAS, Croker Fire Prevention Corporation, for Chase National Bank, owner, filed on December 2, 1938, an appeal from an order of the fire commissioner, affecting premises 533-537 West 34th street, north side, 400 ft. west of Tenth avenue (Block No. 706, Lot Nos. 14 and 15), Borough of Manhattan; and

WHEREAS, Order No. 2354-LF, issued by the fire commissioner on September 16, 1938, reads:

"1. Repair or replace the missing shutters with proper iron shutters or approved fireproof windows at all openings in the exterior wall above 1st story which are distant in a direct line less than 30 ft. from any opening in any other building and not in the same plane from said openings and which are not more than 50 ft. above a neighboring roof at north and west sides of building or other approved protection 491a2-2.0 Administrative Code."

and

WHEREAS, said order was referred to in a decision of the fire commissioner dated November 3, 1938; and

WHEREAS, the building is cellar and 6 stories (72 ft. 4 in.) in height, 75 ft. by 98 ft. 9 in. in area; of non-fireproof construction; equipped with a sprinkler system; erected in 1900, located in unrestricted district and occupied: Cellar—boiler room and storage of empty crates, no persons; 1st floor—furniture shipping, 6 persons; 2nd floor—furniture finishing, 5 persons; 3rd, 4th and 5th floors—furniture storage, no persons; 6th floor—pattern making, 1 person, for which no Certificate of Occupancy has been issued; and

WHEREAS, the applicant contends that the building covers the entire lot on the 1st floor and is set back 23 ft. 9 in. on the north side and 25 ft. on the west side above the 1st floor; that the order affects openings on the north and west sides of the building, most of which are over the roof of one-story extension, which is part of the building in question; that in view of the fact that the nearest opening in the west wall of the building exceeds by only 5 ft. the allowable distance between openings and adjoining walls, and that the building is equipped with a sprinkler system, so arranged that no heads are more than 5 ft. from any window, it is requested that this appeal be granted.

Resolved, that the order of the fire commissioner, No. 2354-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted so long* as the conditions as set forth in the plans filed with this appeal, are maintained and the sprinkler system is maintained throughout the building, to the satisfaction of the fire commissioner.

VARIATIONS OF LABOR LAW

925-38-S.

APPLICANT—Harry B. Mulliken, for East River Savings Bank, owner.

SUBJECT—Variation of the Labor Law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—305 East 149th street, north side, 475 ft. west of Cortlandt avenue (Block No. 2331, Lot No. 63), Borough of The Bronx.

APPEARANCES—

For Applicant: Harry B. Mulliken.

For Administration: M. C. E. Theide, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(925-38-S)

WHEREAS, Harry B. Mulliken, for East River Savings Bank, owner, filed on October 26, 1938, an application for a variation of the Labor Law as cited in decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 305 East 149th street, northside, 475 ft. west of Cortlandt avenue (Block No. 2331, Lot No. 63), Borough of The Bronx; and

WHEREAS, the decision of the Borough Superintendent, dated October 18, 1938, re Alt. App. No. 649-38, reads:

"4. Provide two means of egress as required by Sec. 270, Par. 3, Labor law.

5. Interior stair must be enclosed with fireproof partition and comply in all other respects with Section 270, Par. 4, Labor law."

and

WHEREAS, the building is 2 stories (26 ft.) in height, 25 ft. by 80 ft. in area; of non-fireproof construction erected in 1924; occupied as follows: Cellar—boiler room, no persons; 1st floor—store, printing shop and storage, 9 persons; 2nd floor—dress factory and stock room, 28 persons; total floor area to be devoted to manufacturing does not exceed the area of the lot; and

WHEREAS, the building is equipped with one interior stairway 3 ft. 8 in. wide, of wood construction, enclosed in cellar of 8-inch brick walls and partitions of wood studs covered both sides with metal lath and ¾-inch cement plaster; the doors in the stairway enclosure are fireproof, self-closing; it is proposed to erect a 22-inch fire-escape on front of building, with counter-balanced stairs to street; windows on the course are to be equipped with ¼-inch plate glass; and

WHEREAS, the applicant contends that the building was

erected as a store and office building and has been recently acquired through foreclosure by the present owner; that pending foreclosure, a Receiver was appointed by the Court and executed a two-year lease of the 2nd floor as a dress factory; that the area of the 2nd floor is 1840 sq. ft.; that the maximum occupancy is 28 persons; that to construct a 44-inch stair with passage to street would so reduce the floor area as to destroy the usefulness of the premises for the present tenant.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law and that the application be and it hereby is *granted on condition* that the primary means of exit shall be not less than 4 feet in width and shall be enclosed in a fire-retarded partition consisting of stud metal lath and ¾-inch cement plaster on one side and a brick wall on the other, with F.P.S.C. doors at openings; that the ceiling and soffit of stair shall be protected with sheet metal; that a second means of exit shall be constructed consisting of a counter-balanced stair to the street from the platform at the second story accessible by means of a outwardly swinging door from the 2nd floor; that in addition there shall be an exit from the rear extension roof by means of a balcony extending to a similar roof to the west or there shall be an additional means of exit by means of a door through the westerly wall, opening upon the extension roof of the building to the west; that in all other respects the building shall comply with the requirements of the Labor Law and all other laws, rules and regulations applicable thereto.

1101-38-S.

APPLICANT—Scacchetti and Siegel, for Chez Rosette Incorporated, lessee.

SUBJECT—Variation of the Labor Law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—10 East 56th street, south side, 200 ft. east of Fifth avenue (Block No. 1291, Lot No. 64), Borough of Manhattan.

APPEARANCES—

For Applicant: Max Siegel.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1101-38-S)

WHEREAS, Scacchetti & Siegel, for Chez Rosette Incorporated, lessee, filed on December 1, 1938, an application for variation of the Labor Law, as cited in a decision of the borough superintendent, Department of Housing and Buildings, affecting premises 10 East 56th street, south side, 200 ft. east of Fifth avenue (Block No. 1291, Lot No. 64), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent, dated November 28, 1938, on application for Certificate of Occupancy, reads:

> "Relative to your application for certificate of occupancy for the above premises dated October 27, 1938, requesting change on the 3rd floor from 20 persons to 30 persons and increasing the number of persons permitted to be engaged at manufacturing from 5 to 15 persons, pleased be advised that in order to make such change it will be necessary to make the building conform to Section 270 of the Labor Law and also to file regulation alteration application and plans for this change."

and

WHEREAS, the building is 3 stories and cellar (34 ft. 6 in.) in height, 20 ft. by 100 ft. 5 in. in area, of non-fire-proof construction; erected in 1937 and occupied as follows: Cellar—boiler room and storage, no persons; 1st floor—store, 15 persons; 2nd floor—show room and offices, 30 persons; 3rd floor—office, shipping room and work room, 30 persons; not more than 15 persons at factory work. The building is equipped with one interior steel stairs with cement treads enclosed in partitions of metal lath and ¾ in. Portland cement on wood studs. equipped with kalamein doors 3 ft. 8 in. wide; and

WHEREAS, the applicant contends the building is occupied by a single tenant as a retail ladies' wear establishment and the alteration department is maintained as accessory to the retail sales and is confined to the 3rd floor rear; that the existing stairway which extends from roof to street, is enclosed on all floors and is more than adequate to accommodate the total number of persons in the building; that in lieu of compliance with the Labor Law, it is proposed to provide a secondary means of egress from the 3rd floor rear, by erecting a Labor Law fire escape leading to adjoining premises 12 East 56th street to which egress can be had to adjoining roofs. The fire escape on 12 East 56th street, to which it is proposed to connect, was accepted by the board under Cal. No. 18-25-S for a similar occupancy.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law and that the application be and it hereby is *granted* as to the proposed second means of exit, consisting of an exterior fire escape connecting with the exits duly approved in connection with the buildings at 12 and 14 East 56th street, *on condition* that the total number of persons at factory work shall at no time exceed fifteen (15); that in all other respects the building and occupancy shall comply with the requirements of the Labor Law and all other laws, rules and regulations applicable thereto.

1102-38-S.

APPLICANT—Ansonia Fire Prevention Engineering Company, Inc., for Cinny Mattresses Company, Inc., owner.

SUBJECT—Variation of the Labor Law as cited in an order and decision of the fire commissioner.

PREMISES AFFECTED—659 Rockaway avenue, east side, 75 ft. south of Dumont avenue and 288 Dumont avenue (Block No. 3576, Lot Nos. 22 and 27), Borough of Brooklyn.

APPEARANCES—

For Applicant: George E. Green.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1102-38-S)

WHEREAS, Ansonia Fire Prevention Engineering Company, Inc., for Cinny Mattresses Company, Inc., owner, filed December 1, 1938, on application for variation of the labor law as cited in an order of the fire commissioner affecting premises 659 Rockaway avenue, east side, 75 ft. south of Dumont avenue and 288 Dumont avenue (Block No. 3576, Lot Nos. 22 and 27), Borough of Brooklyn; and

WHEREAS, Order No. 91-LF, issued by the fire commissioner, dated April 19, 1938, reads:

> "1. Arrange bars on windows on north side of 1st story so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purposes of egress."

and

WHEREAS, said order was repeated in a decision of the fire commissioner dated November 2, 1938; and

WHEREAS, the building is 1 and 3 stories (35 ft. 8 in.) in height, 25 ft. by 100 ft. in area; of frame and nonfireproof construction; occupied: Cellar—boilerroom, no persons; 1st floor—manufacturing of mattresses, 10 persons; 2nd and 3rd floors—vacant. There are four windows on the 1st story in the north wall of the south wing, with iron bars; and

WHEREAS, the applicant contends that the sills of the windows affected are 4 ft. 4½ in. above the floor; that the section of the building affected, has an occupancy of 3 persons and has two means of egress remote from each other, one of which is a doorway 3 ft. 5 in. wide leading to Rockaway avenue and the other a doorway 5 ft. wide leading to the easterly section of the premises, from which there is egress direct to Dumont avenue.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law and that the application be and it hereby is *granted* as to Order No. 91-LF of the fire commissioner, *on condition* that the exits, as shown on plans filed with this application, shall be maintained as indicated and that the building shall not be increased in height.

880-28-S.

APPLICANT—Leon and Lionel Levy, for Samoo Realty Corporation, owner.

SUBJECT—Application for consideration — reopening and amendment — variation of the labor law as cited in an order of the fire commissioner.

PREMISES AFFECTED—322-324 East 44th street, south side, 275 ft. west of First avenue (Block No. 1336, Lot No. 38), Borough of Manhattan.

APPEARANCES—

For Applicant: John Leonard.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(880-28-S)

WHEREAS, Croker National Fire Prevention Engineering Co., for Jacobson Mantle and Ornament Co., owner, filed, November 15, 1928 a petition for a variation from the requirements of the labor law, as cited in an order of the fire commissioner, affecting premises 322-324 East 44th street, south side, 275 ft. west of First avenue (Block No. 1336, Lot No. 38), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated July 14, 1928; reads:

"Order No. 40974-LD:

"1. Provide safe and unobstructed egress from the lower termination of the fire escape on rear of building by constructing a fireproof passageway with an unobstructed width of at least 3 ft. throughout, leading to the street, adequately lighted at all times during working hours, or by means of providing access to an open area having communication with the street, as per Sec. 273 of the Labor Law.";

and

WHEREAS, this appeal was granted by the Board March 19, 1929, on certain conditions and owner requested an amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of March 19, 1929, so that as amended it will read:

"Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the petition be and it hereby is *granted,* only so far as it affects the egress from the termination of the rear fire escape, *on condition* that an opening in the fence be maintained unlocked on the inside to the rear yard of the tenement house to the west with egress through tenement house direct to the street, so long as conditions as to occupancy and use remain substantially unchanged and the building shall not be increased in height or area.

Resolved further, that in the event the building to the west, through which exit is provided from the rear fire escape to the street, is removed and a new building erected on the same lot, the provisions of this resolution may still hold, provided there is a continuous passageway through such new building from yard to street as an exit from the termination of the fire escape, and provided that during all times when the building under appeal is being occupied, such passageway and any doors leading thereto shall be in an openable condition without locks; that a consent shall be filed with the Borough Superintendent of Buildings of the owner of the adjoining building to the west, permitting the use of such exit passage as herein permitted."

APPLIANCES SUBMITTED FOR APPROVAL

1105-22-SA.

APPLICANT—Samuel W. Ross, for Dietz Automatic Heat, Inc., representing the Heil Company, owner.

SUBJECT—Approval of Heil Combustion Oil Burner, for marketing as Dietz Oil Burner, Type D.

APPEARANCES—

For Applicant: Samuel W. Ross.

ACTION OF BOARD—Resolution amended in accordance with report of the engineer of the board.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1105-22-SA)

WHEREAS, Charles D. Haven, filed, September 9, 1922, a petition with the Board of Standards and Appeals for approval of the device known as the Combustion Oil Burner; and

WHEREAS, a committee of the board inspected this device in operation at premises 1283 Jefferson avenue, Borough of Brooklyn, and recommended the approval of the device; and

WHEREAS, this device was approved by the board October 26, 1926, for domestic and commercial use under the name of the Combustion Oil Burner, and the owner requested the change of name to the Heil Combustion Oil Burner; and

WHEREAS, a request has been made to permit the marketing of the burner as the Dietz Oil Burner, Type D; and

WHEREAS, this burner was inspected by the engineers of the board and found to be substantially of the same construction as the Combustion Oil Burner originally approved.

Resolved, that the Board of Standards and Appeals does hereby change the name of the Combustion Oil Burner to the Heil Combustion Oil Burner, Type D, and approve the use for domestic and commercial installation with fuel oil not heavier than No. 3, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals.

Resolved further, that this appliance may be marketed under the name Dietz Oil Burner, Type D, *on condition* that under whichever name marketed, the burner shall bear a label permanently affixed reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
Under Cal. No. 1105-22-SA.

295-29-SA.

APPLICANT—Samuel W. Ross, for Dietz Automatic Heat Inc., representing the Heil Company, owner.

SUBJECT—Aproval of Combustion Fuel Oil Burner, Type B, for marketing as Dietz Fuel Oil Burner, Type B.

APPEARANCES—

For Applicant: Samuel W. Ross.

ACTION OF BOARD—Resolution amended in accordance with report of the engineer of the board.

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(295-29-SA)

WHEREAS, Prossen-Meder Corp., for Combustion Fuel Oil Burner Co., owner, filed, April 30, 1929, a petition with the Board of Standards and Appeals for approval of their device known as the Combustion Fuel Oil Burner, Type "B"; and

WHEREAS, this device was submitted to the fire department for test and report and the report of the chief of the bureau of fire prevention dated December 26, 1929, recommended the approval of the device; and

WHEREAS, this device was approved by the board December 31, 1929, under the name of the Combustion Fuel Oil Burner, Type "B", and the owner requested the change of name to the Heil Combustion Fuel Oil Burner, Type "B"; and

WHEREAS, a request has been made for permission to market the burner as the Dietz Oil Burner, Type B; and

WHEREAS, this burner was inspected by the engineer of the board and found to be of substantially the same construction as the Combustion Fuel Oil Burner; Type B, originally approved.

Resolved, that the Board of Standards and Appeals does hereby change the name of the Combustion Fuel Oil Burner, Type B, to the Heil Combustion Oil Burner, Type B, and approve its use for domestic and commercial installations with fuel oil not heavier than No. 3 U. S. Department of Commerce standards, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals.

Resolved further, that this appliance may be marketed under the name Dietz Oil Burner, Type B, *on condition* that under whichever name marketed, the burner shall bear a label permanently affixed reading:

APPROVED BY THE
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. NO. 295-29-SA.

105-34-SA.

APPLICANT—E. A. McLarney, for Kelvinator Sales Corp., owner.

SUBJECT—Application for reopening—re additional models—Kelvinator Oil Burner, Models NK 30A, NK 30C, NK 45 and NK 83 and various additional models.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE VOTE TO AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(105-34-SA)

WHEREAS, E. A. McLarney, for Kelvinator Sales Corp., owner, filed April 17, 1934, a petition with the Board of Standards and Appeals, for approval of the device known as the Kelvinator Oil Burner, Model K; and

WHEREAS, the device was submitted to the engineer of the board and the bureau of combustibles of the fire department for test and report; and

WHEREAS, the report of the engineer of the board and of the representatives of the bureau of combustibles, approved by the assistant chief of department in charge of bureau of combustibles, was substantially as follows:

> This burner is of the mechanical draft pressure atomizing type, and consists of the following parts: A Kelvinator Motor, ⅛ horsepower, a Kelvinator Fan, and a Webster Fuel Unit consisting of pump strainer and pressure regulating valve. Fan and pump are mounted upon the same shaft. A Monarch nozzle is used.
>
> Ignition—Electric. Jefferson Transformer, 110 to 10,000 volts.
>
> Controls—Minneapolis-Honeywell Pressuretrol, L-404 and Protecto-relay R-117-3.
>
> The electrodes were taken out and connected to the transformer and on examining the spark same was found to be of sufficient length and intensity. Burner was then operated. With the oil supply shut off, the control shut the motor off in 83 seconds. This test was repeated the second time and found to be satisfactory. The burner was then operated under normal conditions for 20 minutes. The flame was clean and free from smoke. Examination of combustion chamber showed no undue deposits of carbon.
>
> It is, therefore, recommended that the Kelvinator Oil Burner, Model K, be approved for domestic, commercial and industrial use, provided that all other provisions of the Fuel Oil Rules, adopted by the Board of Standards and Appeals, be fulfilled.

and

WHEREAS, this device has been approved by the Underwriters Laboratories, Guide No. 300-10-4, File M. P. 952, for oil not heavier than No. 3; and

WHEREAS, this appliance was approved by the board June 5, 1934, and applicant requested an amendment of the resolution to include Models NK 30-B, NK 30-C, NK 30-D, NK 45 and NK 83 and to include model numbers of the burner previously approved 0256-A, 0256-B, 0256-C, 0456-0836, and NK-30-A; and

WHEREAS, this matter was submitted to the committee on tests of the board; and

WHEREAS, the report of the committee on tests was as follows:

REPORT OF COMMITTEE ON TESTS

Cal. No. 105-34-SA.

Subject: Kelvinator Oil Burner, Models NK 30-A, NK 30-B,. NK 30-C, NK 45 and NK 83 and additional models as stated in report.

This appliance was inspected and tested by the Committee on Tests at 7711 15th avenue, Brooklyn, November 4, 1938.

This is a mechanical draft oil burner designed for installation in domestic heating plants. It is designed for operation with oil fuels not heavier than No. 3 (commercial standard grade). It is automatic in its operation, controlled by room thermostat and equipped with safety controls and automatic ignition. In its operation the motor which is flange mounted to a cast fan housing, is directly connected to and drives a fan and oil pump. The pump draws oil from a storage

tank and discharges it under pressure at the nozzle of the burner. Excess oil not utilized at the nozzle is either returned to the storage tank or by-passed through a pressure relief valve which in turn also regulates the oil pressure at the nozzle. A draft tube is provided inside and at the end of which is located a nozzle. A fan supplies air through the draft tube for combustion. The vaporized oil and air mixture is expelled at the end of the draft tube which is ignited by an electric spark between two electrodes which are supplied with current by a high tension transformer.

The attached photostatic copy of assembly drawing 71755-C shows the models NK 30-A, B & C, with the major parts thereof. These parts consist of a separately cast fan housing and air tube flanged and bolted together. To this housing is attached by flange mounting a ⅛ h.p. Underwriters' approved electric motor carrying on its shaft a 6 in. (Sirocco Type) fan. The motor shaft extends through the fan hub and is attached to the pump shaft by means of an Underwriters' approved flexible coupling. The pump is an Underwriters' approved fuel unit consisting essentially of three parts: A strainer, a pumping unit and a regulating valve with oil shut-off. The strainer has sufficient area for complete filtration of the fuel oil. This pump is of the internal gear type, self-priming and consists of a single stage of gears. The pump is provided with a mechanical type seal on the shaft. The regulating valve is for the purpose of maintaining and regulating oil pressure at the nozzle.

All three models enumerated above have the ignition transformer mounted at the bottom of the fan housing and these models differ only in respect to the length of the draft tube, electrode assembly and oil line to nozzle. The NK 30-A is supplied with a 6 in. long draft tube. The NK 30-B is supplied with an 11 in. long draft tube. The NK 30-C is supplied with a 20 in long draft tube. By reference to draft tube only in these last sentences, the electrode assembly and oil line to nozzle is also increased correspondingly in length.

Photostatic copy of the assembly drawing 71750C, which is attached, shows the model NK-45 with the major parts thereof. These parts consist of an integrally cast fan housing and air tube. To this housing is attached by flange mounting a ⅛ h.p. Underwriters' approved electric motor carrying on a shaft a 6 in. (Sirocco Type) fan. The motor shaft extends through the fan hub and is attached to the pump shaft by means of an Underwriters' approved flexible coupling. The pump is an Underwriters' approved fuel unit consisting essentially of three parts: a strainer, a pumping unit and a regulating valve with oil shut-off. The strainer has sufficient area for complete filtration of the fuel oil. This pump is of the gear type, self-priming and consists of two stages of gears in series. The pump is provided with a mechanical type seal on the shaft. The regulating valve is for the purpose of maintaining and regulating oil pressure at the nozzle. This model has the ignition transformer mounted on the top of the draft tube with the secondary terminals extending within the draft tube.

The attached photostatic copy of assembly drawing No. 71283C shows the model NK83 with the major parts thereof. These parts consist of an integrally cast fan housing and draft tube. To this housing is attached by flange mounting a ⅛ hp. Underwriters' approved electric motor carrying on its shaft a 7 in. (Sirocco Type) fan. The motor shaft extends through the fan hub and is attached to the pump shaft by means of an Underwriters' approved flexible coupling. The pump is an Underwriters' approved fuel unit consisting essentially of three parts: a strainer, a pumping unit and a regulating valve with oil shut-off. The strainer has sufficient area for complete filtration of the fuel oil. This pump is of the gear type, self-priming and consists of two stages of gears in series. The pump is provided with a mechanical type seal on the shaft. The regulating valve is for the purpose of maintaining and regulating oil pressure at the nozzle. This model has the ignition transformer mounted on the top of the draft tube.

All of these burners are provided with an adjustable air shutter so designed to result in positive air control, the shutter proper fitting over the cast air box which is flanged, mounted and bolted to the side of the fan housing casting.

The ignition system consists of an Underwriters' approved electric high tension transformer with its secondary connected through Underwriters' approved high tension conductors connected to the electrodes which provides the spark at the nozzle for ignition. This high tension conductor is properly run through bushings and porcelains to the electrodes. The primary circuit of this transformer is energized through a control system, specifically the Minneapolis-Honeywell, type R-117-3 Protecto-Relay. This same control system also provides protection against ignition or oil failure or other hazards as set up in the standards established by the Underwriters' Laboratories, Inc. All of these burners as herein described under the model designations herein given have been tested and approved, and are now listed by the Underwriters' Laboratories, Inc.

It is recommended that the resolution adopted by the board on June 5, 1934, be amended to include the above models for use in domestic and commercial installations with fuel oil not heavier than No. 3 U. S. Department of Commerce standards and that the resolution be further amended to include the revised model numbers of Model K previously approved, these numbers being 0256-A, 0256-B, 0256-C, 0456, 0836 and NK-30-A, on condition that the appliance in all further installations bear a label permanently attached, reading "Approved by the Board of Standards and Appeals for use in New York City, under Cal. No. 105-34-SA".

(Sgd.) CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

Resolved, that the Board of Standards and Appeals does hereby *approve* the device known as the Kelvinator Oil Burner, Models K, 0256-A, 0256-B, 0256-C, 0456, 0836 and NK 30-A, and Models NK 30-B, NK 30-C, NK 30-D, NK 45 and NK 83, for use in domestic, commercial and industrial installations when used with oil not heavier than No. 3, U. S. Department of Commerce standards, and when installed in accordance with above reports and the Oil Burner Rules of the Board of Standards and Appeals *on condition* that the appliance in all future installations shall bear a label permanently affixed reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
Under Cal. No. 105-34-SA.

282-37-SA.

APPLICANT—Walter Kidde and Co., Inc., owner.
SUBJECT—Lux Model 2 Carbon Dioxide (CO^2) Fire Extinguisher—Approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appliance approved in accordance with report of the committee on tests.
THE VOTE TO APPROVE APPLIANCE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(282-37-SA)

WHEREAS, Walter Kidde Company, Inc.; owner, filed June 10, 1937, an application with the Board of Standards and Appeals for approval of the appliance known as the Lux Model 2, Carbon dioxide fire extinguisher; and

WHEREAS, this appliance was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the Commiteee on Tests was as follows:

December 5, 1938

Re: Cal. No. 282-37-SA.

Subject: Lux Model 2 Carbon Dioxide Fire Extinguisher.

Messrs. Walter Kidde & Co., Inc., filed on June 10, 1937, an application with the Board of Standards and Appeals for approval of the appliance known as LUX MODEL 2 CARBON DIOXIDE FIRE EXTINGUISHER.

This fire extinguisher consists of a drawn steel cylinder tested to 3,000 lbs. per square inch, having a safety disc designed to rupture at 2,400 lbs. per square inch. The normal interior pressure at 70 degrees Fahr. is 800 lbs. per square inch, and at 130 degrees Fahr., a pressure of 2,400 lbs. per square inch is exerted, so that at this temperature the safety disc will rupture. The gas in the container is so arranged that the minimum pressure will be maintained indefinitely.

The appliance has been approved by the Underwriters' Laboratories, Classification B4, Guide No. 10,042, File No. Ex. 946 and Ex. 966.

It is recommended that the LUX MODEL NO. 2 CARBON DIOXIDE FIRE EXTINGUISHER be approved for use in oil, grease, lacquer, small electric motor and automobile fires and as a substitute for one and one and one-half quart carbon tetrachloride extinguishers.

(Sgd.) CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Lux Model 2 Carbon Dioxide Fire Extinguisher, for use in oil, grease, lacquer, small electric motor and automobile fires, as a substitute for one, and for one and one-half quart carbon tetrachloride extinguisher, when constructed and used in accordance with the above report, *on condition* that the appliance shall bear a label permanently affixed reading:

APPROVED BY THE
BOARD OF STANDARDS AND APPEALS
For Use in New York City
UNDER CAL. No. 282-37-SA.

351-38-SA.

APPLICANT—The Imperial Brass Mfg. Company, owner.

SUBJECT—Approval of Watrous Flush Valve and Vacuum Breaker, Models Imperial, Majestic and Jewel, manufactured by The Imperial Brass Mfg. Company.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(351-38-SA)

WHEREAS, The Imperial Brass Mfg. Company, owner, filed May 11, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as Watrous Flush Valve and Vacuum Breaker, Models Imperial Majestic and Jewel; and

WHEREAS, this device was submitted to the engineer of the Board for test and report; and

WHEREAS, the report of the Engineer of the Board, supplemented by that of the Dept. of Water Supply, Gas and Electricity was substantially as follows:

"The test was made on the Department of Water Supply, Gas and Electricity bench which developed a negative head the equivalent of 26½" of mercury. The vacuum breaker was tested in conjunction with Watrous Flush Valve M-527, which is of Diaphragm differential valve operating principle.

The mechanical principle of the vacuum breaker is a double wing gate valve designed with cam bearings which raises a circular valve ring closing airports when water is introduced into the unit, and the ring valve drops by gravity when negative pressure conditions obtain, thereby opening the airports and affording relief to any vacuum. The combined airports' areas are approximately equivalent to the area of the pipe that the unit is designed to relieve. The unit operates with each flow of water from the flush valve into the bowl. This unit is designed as a vacuum breaker for flush valve units only.

The connection between the vacuum breaker and the siphon water closet bowl was of glass tubing to permit the noting of any partial vacuum which might occur. Repeated flushings failed to show any evidence of water escaping from the airports.

The outlet of the water closet bowl was plugged and the bowl filled to the overflow rim with uranine colored water to simulate contamination. The units were then subjected to a vacuum the equivalent of 26½" of mercury and no colored water was noted in the glass tubing nor in the receptacle at the foot of the test riser. Previous to this test, the flush valve was regulated for normal usage to operate for a duration of seven seconds at an approximate rate of 30 gallons per minute with a consumption volume of approximately 3½ gallons.

A second test was made under the same vacuum conditions with the airports of the vacuum breaker clogged by a wet cloth this being accomplished with difficulty. Under this condition the colored water was clearly observed rising in the glass tubing, definitely indicating that the water closet fixture was siphonable without the relief afforded by the vacuum breaker.

Tests indicate that this unit is efficient and is satisfactory for installation for flush valve fixtures only under the requirements of Section 14.8.2.8 of the Building Code."

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Watrous Flush Valve and Vacuum Breaker, Models Imperial, Majestic and Jewel, when manufactured and installed in accordance with the above report for use as specified in Sect. C-26-1277.0, Administrative Code (14.8.2.8 BC), *on condition* that the device shall have a label permanently affixed reading:

Approved by the
Board of Standards and Appeals
for Use in New York City
Under Cal. No. 351-38-SA.

747-38-SA.

APPLICANT—Phoenix Ventilator Company, owner.

SUBJECT—Phoenix Ventilator (Wind-Driven Turbine Ventilator)—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of the committee on tests.
THE VOTE TO APPROVE APPLIANCE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(747-38-SA)

WHEREAS, the Phoenix Ventilator Company, owner, filed August 26, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Phoenix Wind-Driven Turbine Ventilator, under the provisions of Sec. C. 26-262.3c Administrative Code (8.1.5.3 BC) and Sec. 200, subdiv. E, Multiple Dwelling Law; and

WHEREAS, this appliance was submitted to a committee of the board for test and report; and

WHEREAS, the report of the Committee on Tests was as follows:

REPORT OF COMMITTEE ON TESTS
November 21, 1938

Cal. No. 747-38-SA.
Subject: Phoenix Ventilator (Wind-Driven Turbine Ventilator).

The Phoenix Ventilator Company, owner, filed August 26, 1938, an application with the Board of Standards and Appeals for approval of the Phoenix Wind-Driven Turbine Ventilator under the provisions of Sec. C-26 262.3.c Administrative Code (8.1.5.3 B.C.) and Sec. 200, subdiv. E, Multiple Dwelling Law.

The Phoenix Wind Driven Turbine Ventilator is equipped with hardened steel ball bearings, encased in self-lubricating non-metal. thrust bearings, which do not require oil or grease. The rotor shaft is mounted on a stainless steel stud, which will not wear in operation.

The appliance was tested at the School of Aeronautics, New York University.

An inspection was made and as a result of the inspection and the report of test of School of Aeronautics at New York University, it is recommended that the Phoenix Wind Driven Turbine Ventilator be approved for use in New York City, under the provisions of Sec. C-26-262.3.c Administrative Code (8.1.5.3 Building Code) and Sec. 200 subdiv. E, Multiple Dwelling Law, on condition that the device bear a label permanently affixed thereto, reading: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 747-38-SA."

(Sgd.) CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Phoenix Wind-Driven Turbine Ventilator, under the provisions of Sect. C-26-262.3.c Administrative Code and Sect. 200, subdiv. E, Multiple Dwelling Law, when constructed, installed and labelled in accordance with the above report.

923-38-SA.
APPLICANT—J. M. White, Chief Engineer for Gray and Dudley Company, owner.
SUBJECT—Washington Oil Burning Space Heater. Frogil Oil Burning Space Heater and Plymouth Oil Burning Space Heater—approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appliance approved in accordance with report of the engineer of the board.
THE VOTE TO APPROVE APPLIANCE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(923-38-SA)

WHEREAS, J. M. White Chief Engineer for Gray and Dudley Company, owner, filed October 26, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Washington Oil Burning Space Heater. Models 3712, 3724, 3736, 3747 and 3758; the Frogil Oil Burning Space Heater, Models 182, 274, 284, 294, 487 and 588 and the Plymouth Oil Burning Space Heater, Models 18, 20, 28 and 30; and

WHEREAS, these appliances were submitted to a committee of the board for test and report; and

WHEREAS, the report of the committee was as follows:

Cal. No. 923-38-SA
Washington Oil Burning Space Heaters
Frogil Oil Burning Space Heaters
Plymouth Oil Burning Space Heaters
REPORT OF TEST.

J. G. White, Chief Engineer for Gray and Dudley Company, owner, filed October 26 1938, an application with the Board of Standards and Appeals for approval of the device known as the Washington, Frogil and Plymouth Space Heaters. Models Washington 3712, 3724, 3736, 3747, 3758 Circulating type heater and Frogil Models, 182, 274, 284, 294, 487, 588 Radiant Type Heater Plymouth Models 18, 20, 28 and 30.

These are oil burning heaters intended for stationary installation with flue connection and intended for use with fuel oil not heavier than No. 1 U. S. Dept. of Commerce standards. These devices operate under conditions of natural draft and gravity oil feed from an integral tank, burning a combustible mixture of air and vaporized oil. The burners are ignited manually and the fire is regulated manually. These oil burning stoves are intended for use in heating dwellings and small buildings but not for use in spaces in which gases or flammable vapors are generally present.

A test conducted by the committee of the board indicated that the oil tank can be readily filled from a safety can, the burner can be safely and readily lighted, abnormal discharge of oil prevented by a constant level valve, no flash backs or puffs, no hazardous carbon formation, burns with continuous non-fluctuating flame.

The devices have been approved by the Underwriters laboratories Misc. Petrol No. 1154 Application No. 37 CI-671.

The application covers the Washington Models 3712, 3724, 3736, 3747, and 3758; the Frogil Models 182, 274, 284, 294, 386, 487 and 588 and the Plymouth models 18, 20, 28 and 30.

Washington Model 3712 and Frogil 182 are identical. W3724 is identical with F274 and 294, W3736, 3747 and 3758 are identical with 284, 386, 487 and 588 except that the Combustion chamber is lightly larger. Models 182 and 3712 are the square radiant type, they are constructed with cast iron top and bottom bolted to the combustion chamber with blue steel side protected by cast iron baffle plates. They are equipped with 5 gallon welded steel tank protected by double steel baffles which allow air circulation to prevent overheating of the tank. The flow of oil is regulated by a constant level valve manufactured by the Automatic Products Co. The combustion chamber is constructed with a cast iron top and bottom and perforated sheet sides and is 9 inches in diameter. Models 274 and 3724 are finished in porcelain enamel 294 in a baked crystal finish. These models are of the circulating

type and are of similar construction to the other models. Model 284, 386, 487 and 588 are of similar construction, the only difference being that the height of combustion chamber is 14, 16, 18 and 20 inches respectively and the height of casing increased accordingly. These models have six gallon tanks.

Plymouth models 18 and 20 are of the round radiating type with 5 gallon tanks similarly constructed Model 18 has an 8" combustion chamber and model 20 a 10" combustion chamber.

Models 28 and 30 are of circulating type similarly constructed but have a baked crystal finish.

On the basis of the test conducted, it is recommended that the above burners be approved for use in domestic and commercial installations with fuel oil not heavier than No. 1 U. S. Dept. of Commerce Standards, on the following conditions:

1. Only safety cans approved by the New York Fire Department shall be used for the storage and filling of oil containers.
2. The storage container shall bear a label reading:
   ONLY AN APPROVED SAFETY CAN SHALL BE USED IN FILLING THIS STORAGE CONTAINER.
3. Floor beneath the oil burning device shall be protected by a ½-inch asbestos or other equivalent shield.
4. The manufacturer or installer of this burner shall within 48 hours after each installation, notify the Fire Department in writing of the name of the person to whom this burner was sold and the address of the premises where installed.
5. The device shall bear a label permanently affixed thereto reading:

Approved by the
Board of Standards and Appeals
For use in New York City
Under Cal. No. 923-38-SA.
(Sgd.) CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliances known as the Washington Oil Burning Space Heater, Models 3712, 3724, 3736, 3747 and 3758; the Frogil Oil Burning Space Heater, Models 182, 274, 284, 294, 487 and 588 and the Plymouth Oil Burning Space Heater Models 18, 20, 28 and 30, for use in domestic installations with Range Oil or No. 1 Fuel Oil, *on condition* that the installation shall be made in accordance with the Oil Burner rules of the Board of Standards and Appeals and with the above report and that the additional requirements set forth in this report shall be complied with.

MATERIAL SUBMITTED FOR APPROVAL

1032-38-SM.

APPLICANT—The Ruberoid Company, owner.

SUBJECT—Ruberoid Eternit Corrugated Asbestos—approval of.

APPEARANCES—
For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of the committee on tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1032-38-SM)

WHEREAS, the Ruberoid Company, owner, filed November 17, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Ruberoid Eternit Corrugated Asbestos; and

WHEREAS, the material was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests was as follows:

REPORT OF COMMITTEE ON TESTS
December 2, 1938

Re: Cal. No. 1032-38-SM.
Subject: Ruberoid Eternit Corrugated Asbestos.

The Ruberoid Co. of New York City filed on November 16, 1938, an application with the Board of Standards and Appeals for the approval of their material known as Ruberoid Eternit Corrugated Asbestos under Section C 26-626.0 A.C. (10.3.8 B.C.) and C 26-605.0 A.C. (10.1.16 BC)

Ruberoid Eternit Corrugated Asbestos is an incombustible material consisting of an asbestos fibre and Portland cement and moulded into a dense tough and structurally strong sheet by means of high hydraulic pressure This sheet is 42 in. wide and consists of 10 corrugations, each 4.2 in. wide with an overall height of 1½ in. The sectional dimension at the ridges and valleys of each sheet is 13/32 in. and through the slope or incline sections they are 5/16 in. in thickness. These sheets are manufactured in standard lengths from 3 ft. 0 in. to 12 ft. 0 in. by 6 in. increments. Accessories consisting of Ruberoid Eternit Ridge Roll and Ruberoid Eternit Corner Trim are also manufactured by the applicant.

A committee of the board witnessed brand and load tests of this material at the plant of the manufacturer at Bound Brook, N. J.

Brand Test

This material was submitted to a brand test in accordance with the requirement of the Code C26-607.0 A.C. (10.1.16.2 BC) for this test. The brand was consumed in 10 minutes, 5 seconds, slightly discoloring the top of the ridges and with no cracking of the sheet and no spreading of the flame. (See photo marked "Test No. 25" filed with this application.)

Load Test

Load tests were made of this material in accordance with the requirements of C 26-626.0 A.C. (10.3.8 B.C.) over a clear span of 54 in. with the loading at the third points of the span. Photographs filed with this application show the method of testing and the results of the test. The test consisted of testing five samples of this material with the average of these results as follows:

Total Load on Sheet	2123#
Breaking Load lbs./sq. ft.	179.7*
Deflection	1 7/16"

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*This figure is obtained by converting the values obtained in the test with loading at the third points to that of an equivalent uniformly distributed load over the same span.

On the basis of these results the rated load carrying capacity of this material as a simple span is 45 lbs. per sq. ft.

The committee recommends that as a result of these tests that Ruberoid Eternit Corrugated Asbestos sheets be approved for use as a roofing material, having met the brand test under C 26-605.0 A.C. (10.1.16 BC) when used in accordance with limitations as hereinafter specified. That on the basis of the load tests as described the committee recommends approval under C 26-626.0 AC (10.3.8 BC) for a permitted horizontal load of 45 lbs. per sq. ft. over a maximum span of 54 inches and under C 26-347.0 A.C. (7.3.2.5 B.C.) for use in roofing and limited for use with roofs having a rise of

at least 3 inches per foot of horizontal projection with a maximum vertical live load of 30 lbs. per sq. ft. of horizontal projection. Approval is also recommended for the use of Ruberoid Eternit Corrugated Asbestos sheets as a siding under C-26-351.0 A.C. (7.3.3.3. B.C.)

This material when used shall be secured by either lead head or round head bolts ¼ in. in diameter, which shall be weather-protected and used in combination with special hot galvanized steel clips. All heads required in the corrugated sheets shall be drilled and located at the high point of the corrugations. Sheets shall be secured to purlins or girts with at least 6 inches and lap and one corrugation side lap with all end laps occurring over the purlins or girts. The roof purlins shall be spaced not more than 54 in. centers and siding girts not greater than 66 in. centers. Each Ruberoid Eternit Corrugated Asbestos sheet shall have a mark or label as follows: "Approved by the Board of Standards and Appeals for use in New York City under Cal. No. 1032-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee on Tests.

Resolved, that the Board of Standards and Appeal does hereby *approve* the material known as the Ruberoid Eternit Corrugated Asbestos for roofing and siding, when manufactured, installed and labelled in accordance with the above report.

Adjourned, 6:00 P. M.

EDWARD V. BARTON, Chief Clerk.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, January 4, 1938, as they appeared in Bulletin No. 2, Vol. 23, are hereby corrected to read as follows:

110-35-BZ.

APPLICANT—Louis Susman, for D. A. F. Realty Corporation, present owner.

SUBJECT—Request for consideration — reopening and amendment—re application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a residence use district the erection and maintenance of a business building (stores).

PREMISES AFFECTED — 2206-2210 Grand Concourse and 200 East 182nd street, southeast corner (Block No. 3157, Lot No. 32), Borough of The Bronx.

APPEARANCES—

For Applicant: Louis Susman.

ACTION OF BOARD—Request to reopen, denied.

THE VOTE TO REOPEN—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(110-35-BZ)

WHEREAS, this application affecting premises 2206-2210 Grand Concourse and 200 East 182nd street, southeast corner (Block No. 3157, Lot No. 32), Borough of The Bronx, was granted by the board July 2, 1935, on certain conditions; and

WHEREAS, a new owner requested that the conditions set forth in the resolution of the board, be amended so as to remove the limitations as to store occupancy; and

WHEREAS, the board deemed that the reconsideration requested should not be permitted.

Resolved, that the request to reopen this application be and it hereby is *denied*.

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*Correction—The word "relocation" changed to "reconsideration" in line 9 of resolution.

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*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, November 22, 1938, as they appeared in Bulletin No. 48, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(939-38-A)

WHEREAS, Sonnell Construction Corporation, owner, filed October 27, 1938, an appeal from decisions of the borough superintendent of buildings affecting premises: 216-26, 217-02, 217-08, 217-14, 217-18, 217-24, 218-02, 218-08 and 218-14 121st avenue, south side, 238.53 ft. east of Springfield boulevard (Block No. 3450, Lot No. 1), St. Albans, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent on N.B. Application Nos. 7908-38, 7909-38, 7910-38, 7911-38, 7912-38, 7913-38, 7914-38, 7915-38 and 7916-38, dated October 19, 1938, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Code. Not further considered."

and

WHEREAS, the premises located in a business use, "D" area district consists of a plot 450 ft. front by 105.25 ft., irregular in area, upon which it is proposed to erect nine (9) one and one-half story frame brick veneer one family dwellings, each having a frontage of 40 ft. 8 in. and a depth of 25 ft. 8 in. including attached garage of brick veneer construction, completely separated from the dwelling of fireproof construction, each on a plot 50 ft. front; all buildings to be set back from 121st avenue building line 25 ft. and each building to have a side yard of 5 ft. 2 in. on one side and 4 ft. 2 in. on the other side, rear yards to be not less than 49 ft. in depth, the houses to be not nearer than 8 ft. 4 in.; and

WHEREAS, the applicant contends that these houses are to be sold pursuant to a written contract which calls for buildings similar to the buildings which the Sonnell Construction Corporation has erected on the next blocks; i.e., 120th avenue and 217th street and 218th street; that the area is being developed as a purely residential neighborhood, the premises being restricted by deed restriction in accordance with the requirements of the Federal Housing Administration, to residential premises only; that the buildings were under contract to purchase prior to the adoption of the new Building Code; that under the old Building Code, the filed plans which have been objected to, would have been allowed.

Resolved, that the decisions of the borough superintendent, in acting on N.B. Application Nos. 7908, 7909, 7910, 7911, 7912, 7913, 7914, 7915 and 7916-38, be and they hereby are *modified* and that the appeal be and it hereby is *granted on condition* that the buildings shall be constructed of the size and height indicated on plans filed with the borough superintendent of buildings and as described within this appeal; that the yards and courts shall be not less than the dimensions shown thereon and that the buildings shall at all times be used solely for residential purposes, i.e., occupancy by one family and that the portion of the buildings used for a garage shall be separated from the balance of the house by a masonry wall.

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* Correction—The number "46" changed to "40" in line 20 of resolution.

RULES

FACTORY EXIT RULES ADOPTED BY THE BOARD OF STANDARDS AND APPEALS FEBRUARY 23, 1927, AND AMENDED JANUARY 15, 1932.

(64-27-SR)

STANDARD FACTORY EXITS

Section 1—Fire Escapes.

Rule 1. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, more than five stories in height and not exceeding nine stories in height, nor in any case more than 90 ft. from curb level to top floor level, one of the required means of exit or escape under Section 271-1 of the Labor Law may consist of an outside fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, labor law, and in addition thereto:

(1) The balconies and stairs shall be protected on the outside by substantial railings to a height of at least 4 ft. 6 in., measured from floor of balcony or center of stair tread, constructed of bars at least one-half (½) inch in diameter, spaced not more than six (6) inches on centers, or of substantial grille work, or of screening not less than No. 10 U. S. gauge wire with not more than one and one-half (1½) inch mesh, all rigidly braced;

(2) When there is safe egress from the roof of the building to any adjoining structure, the fire escape stairway shall continue to the roof, and if there be no safe means of egress, a gooseneck ladder shall be provided from the top story balcony to the roof.

(b) Any such fire escape erected prior to October 1, 1913, shall conform in every respect with the requirements of paragraph (a) of this rule, except that balconies may be not less than 3 feet in width; the connecting stairs not less than 20 inches in width, and placed at an angle not exceeding 60 degrees if the building is not over six stories in height, otherwise at an angle of 45 degrees.

Rule 2. In any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, five stories or less in height, one of the required means of exit under Section 271 of the Labor Law may consist of an outside iron fire escape, provided that:

(a) Any such fire escape hereafter erected shall comply with all the provisions of Section 273, Labor Law.

(b) Existing fire escapes shall comply with all the provisions of Section 274, Labor Law and in addition thereto

(1) The balconies shall be not less than 3 feet in width.

(2) The rails around balconies and well holes and on stairways shall be not less than 3 feet in height.

(3) Passageways on the balconies shall be not less than 14 inches in the clear.

(4) At least one opening to each balcony shall be a single fireproof casement door at least 2 feet wide and at least 6 feet in height, except that where the distance between the sill and lintel will not permit of an opening 6 feet in height, a casement door not less than 4 ft. 6 in. in height will be permitted.

Rule 3. The single fireproof casement doors leading to all fire escape balconies shall open out and shall be self-closing. An easily operated door lock with knobs on both sides of the door shall be provided.

Such fire doors may be at window sill level if fixed iron step at least two feet wide, with risers not exceeding eight (8) inches, and treads not less than eight (8) inches are provided on the inside from floor level to sills properly secured.

Rule 4 (a). Any such fire escape erected subsequent to October 1, 1913, and prior to these rules taking effect, unless previously accepted as one of the required means of exit or escape by the administrative official having jurisdiction, shall conform in every respect to the provisions of these rules.

(b) A fire escape shall not hereafter be accepted as constituting one of the required means of exit or escape under Section 271-1 of the Labor Law, in any building erected prior to October 1, 1913, now occupied or to be occupied as a factory, exceeding nine stories in height, or more than 90 feet from curb level to top floor level.

Rule 5. All fire escapes shall be maintained structurally safe, properly painted, and kept clear of all obstructions.

Section 2—Enclosure of Factory Stairways.

Rule 6. Except as herein provided, in all factory buildings five stories or less in height, erected prior to October 1, 1913, in which there are more than twenty-five persons employed above the second story, all interior stairways, serving as required means of exit, and the landings, platforms and passageways connected therewith, shall be enclosed on all sides by partitions of fire-resisting material extending continuously from the lowest point of the stairway in accordance with the following schedule:

Number of stories	Contents combustible, no sprinkler	Contents non-combustible no sprinkler	Contents combustible, and sprinkler	Contents non-combustible and sprinkler
Three	Stairways Enclosed			
Four	Stairways Enclosed	Stairways Enclosed		
Five	Stairways Enclosed	Stairways Enclosed	Stairways Enclosed	

The term "contents" as used above means articles, goods, wares and merchandise, packed, stored, manufactured or in the process of manufacture.

The term "combustible" as used above means articles, goods, wares or merchandise which will burn or support combustion.

The term "sprinkler" as used above means an adequate automatic sprinkler equipment installed and maintained in good working order on each floor.

The term "story" as used above means that part of a building between any floor and the floor or roof next above;—the first story is that part of a building which is more than 50 per cent above the floor below and the floor next above the curb or average grade level.

Where the stairways extends to the top floor of the building, such partitions shall extend to the under side of the roof boarding. That portion of the under side of the roof beams within the stair enclosure shall be covered with fire-resisting material, except in buildings with roofs of non-combustible material, in which case the partitions may stop at the under side of he roof.

Where the stairway is required to extend to the roof, the enclosure shall be so built as to form a bulkhead. The enclosure shall be ventilated by a skylight in the roof with louvres or ventilators, or exterior windows with ventilating sections at the top floor.

All openings in such partitions shall be provided with approved self-closing fire doors, except where such openings are in the exterior wall of the building.

The bottom of the enclosure shall be of fireproof material at least four inches thick unless the partition extends to the cellar bottom.

A horizontal exit, as defined in section 267 of the Labor Law, will be accepted as a compliance with this rule when both sides of the fire wall or walls are occupied on any factory floor by the same occupant.

Rule 7. Where there are occupancies on any story or part of a story involving the storage or use below the top story of the following materials and exceeding the amount specified, and there are more than 5 persons employed at manufacturing above such occupancy, the interior stairway serving as required means of egress shall be enclosed on that story with fire-resisting material from floor to under side of floor above, including any exposed stair soffits, landings and passageways; openings shall be provided with approved self-closing fire doors.

Nitrocellulose in any shape or form, 10 pounds.
Volatile inflammable oils, 1 gallon.
Volatile inflammable mixtures, 5 gallons.
Combustible mixtures, 10 gallons.
Paints, varnishes and lacquers, 10 gallons.
Upholstering or mattresses, manufacturing or repairing.
Cotton, rag and paper sorting, 1 ton.
Paper box manufacturing.

Restaurants and lunch rooms with cooking (not including tea, coffee or similar beverages).

The Board shall rule upon new occupanies as they arise and pass upon points under dispute.

When more than two stories are to be segregated, as above, the entire stairway shall be enclosed in fire-resisting material where there are more than 5 persons employed at manufacturing above the first story.

Rule 8. Required Exits and Enclosures of Stairways in Two-Story Factory Buildings.

1. Required Exits.—In every two-story factory building erected prior to October 1, 1913, in which more than five persons are employed at manufacturing, there shall be provided from each story at least two means of exit or escape from fire remote from each other, one of which from every floor above or below grade shall lead to or open on an interior stairway which shall be enclosed, as hereinafter provided, or on an exterior enclosed stairway. The other may lead to such a stairway, or to a horizontal or grade exit, or to an exterior screened stairway, or to a fire escape conforming to section 273, Labor Law, or rule 2 of these rules. Except that exit door shall be a fire door, with substantial steps to the sills properly secured when sill is more than 8 inches above the floor level; and where there is no safe egress from the roof, a gooseneck ladder shall be provided from top balcony to the roof, except on the front of buildings.

Unobstructed egress from the foot of the fire escape or exterior screened stairway shall be as required by section 273, Labor Law, or to open adjoining yard with egress to the street. No point on any floor of such building shall be more than one hundred and fifty (150) feet distant from such an exit.

Rule 9. Enclosure of Stairways.—In two-story buildings where there are occupancies on any story or part of a story involving the storage or use below the top story of any of the materials exceeding the amounts specified in Rule 7 and there are more than 5 persons employed at manufacturing above such occupancy, all interior stairways serving as required means of exit shall be enclosed from the lowest point of such stairway to the ceiling of the first floor by partitions of fire-resisting material, unless the building is provided with a wet sprinkler system, in which case such enclosure of stairways shall not be required. Such enclosures shall lead directly to a door opening outwardly to a street or road, or an open area affording unobstructed passage to a street or road. All openings in such enclosure shall be provided with fire doors equipped with self-closing devices.

All reference herein to "Enclosure of Stairways" shall be considered as applying only to required stairways.

Rule 10. Storage of Combustible Material Within Factory Stairway Enclosures.

In all factory buildings no articles or wares of any nature shall be kept or stored inside the limits of any stairway enclosure or unenclosed stairway, or on the landings, platforms or passageways connected therewith.

But this shall not prohibit the erection and maintenance of a stand to be built of incombustible material and wire glass or ¼-inch-thick plate glass for the retail sale of cigars, cigarettes and tobacco and candies in original packages or daily newspapers in the public hall or corridor on the first story of any building provided there is no open flame. All portions of the stand and any portion of any permitted accessory use to same shall be set back at least 18 inches from the outside line of travel of the required legal width of exit. Each such stand shall be provided with at least one approved 2½-gallon chemical fire extinguisher.

Section 3—Safe Egress from Roofs of Factory Buildings.

Rule 11. Interior stairways serving as required means of exit in factory buildings erected after October 1, 1913, and not exceeding five stories in height, and in buildings erected before October 1, 1913, now occupied or to be occupied as a factory, shall not be required to extend to the roof where there is no safe egress from the roof, under Sections 270, 271 and 272, Labor Law.

(a) When the roofs, or the top of the parapet wall of an adjoining building are more than eight feet below or more than five feet above the top of the parapet wall of the building in question, and there is no outside party wall fire escape, party wall exterior screened stairway, party wall balconies or bridges, or where any outside exits do not connect to adjoining buildings at roof level, or where there are no unbarred window openings five feet above the roof or parapet wall of the building in question.

(b) When the roof of the building in question has a pitch exceeding one foot in six feet of horizontal run.

Rule 12 (a). When there is no safe egress from the roof, as above described, there shall be in all cases at least a double-rung ladder at the top of the interior stairway, and within the interior stairway enclosure when stairway is enclosed. Such ladder shall be at least 18 inches in width and shall be properly secured at top and bottom. The ladder shall lead to a scuttle opening not less than 2 feet by 3 feet or be of such additional area as may be required to provide ample head room. The scuttle cover shall be hinged and of light weight construction, or be counter-balanced. An easily operated hook may be provided on scuttle cover

(b) Where the stair bulkhead door opens within 10 feet from the open edge of the roof, an iron railing properly braced at least 3 feet high and at least 10 feet long shall be provided at the edge of roof.

SUBSTANDARD FACTORY EXITS

Section 4—Fire Escapes.

Rule 13. When in addition to the required exits from any factory or factory building, there exist other means of egress which are not entirely in accordance with the requirements of the Labor Law and the Rules of the Board of Standards and Appeals, such means of egress may be retained under the following conditions:

(a) Fire Escapes.—All substandard fire escapes on factory buildings shall be maintained, structurally safe, properly painted, and with the openings leading thereto, kept in good repair.

In lieu of a counter-balanced stairway, a drop ladder in guides with a back-drop gravity hook may be provided.

The drop ladder shall be of sufficient length to reach from the lowest balcony to the ground or safe landing place, with a passageway opening cut in the balcony rail, which rail shall be properly braced.

When such substandard fire escapes are located in a court, side or rear of a building, proper egress to a point of safety shall be provided, either to open adjoining yards, or the lowest balcony may be connected to an adjoining fire escape, exterior stairway, to the roof of adjoining extensions, or other means of egress satisfactory to the authorities having jurisdiction.

Substandard fire escapes shall be kept clear of all obstructions, shall not be used for fire drills, and shall not be considered as a basis for increase in occupancy.

Section 5—Stairways and Bridges.

Rule 14. Interior Stairways.—All interior stairways not conforming to the requirements of the Labor Law or rules of the Board of Standards and Appeals may be retained, provided that egress to same is maintained unobstructed, halls are properly lighted, and all landings, passageways, etc., are maintained free and unobstructed. An easily operated panic bolt or other similar device may be installed at street exit door.

Rule 15. Exterior Screened Stairways.—Exterior screened stairways not serving as a required means of egress shall be maintained structurally safe and properly pointed, exits thereto and all platforms and passageways thereof shall be maintained unobstructed, and egress from termination shall be provided as required for substandard fire escapes in subdivision a.

Rule 16. Horizontal Bridges.—Horizontal bridges and party wall balconies between buildings shall be maintained structurally safe and properly painted, and access thereto and all passageways thereof shall be maintained unobstructed.

Rule 17. No sign of any character shall be placed at openings leading to these substandard exits.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals, August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and he shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:—

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or equipped with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire-retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

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BULLETIN
OF THE
BOARD OF STANDARDS AND APPEALS
CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

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TELEPHONE—WOrth 2-0184.

OFFICE HOURS FOR PUBLIC—9 a. m. to 4 p. m. Saturdays 9 a. m. to 12 noon.

Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Court Decisions.

Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting, December 13, 1938, at 10 A. M., Affecting Calendar Numbers 94-38-BZ, 803-38-BZ, 830-38-BZ, 148-36-BZ, 478-38-BZ, 589-38-BZ, 772-38-BZ, 774-38-BZ, 869-38-BZ and 873-38-BZ.

Minutes of Regular Meeting, December 13, 1938, at 2 P. M., Affecting Calendar Numbers 573-37-BZ, 458-37-BZ, 362-38-BZ, 458-38-BZ, 558-37-BZ, 416-38-BZ, 912-38-A, 964-38-A, 1008-38-A-WF, 1049-38-A, 1089-38-A, 1114-38-A, 1121-38-A, 1122-38-A, 1123-38-A, 1124-38-A, 1125-38-A, 1126-38-A, 1043-38-A, 850-38-A, 851-38-A, 852-38-A, 853-38-A, 854-38-A, 855-38-A, 856-38-A, 981-38-A, 1017-38-A, 1057-38-A, 1065-38-A, 1066-38-A, 1067-38-A, 1071-38-A, 1072-38-A, 1073-38-A, 1074-38-A, 1075-38-A, 1098-38-A, 1111-38-A, 1113-38-A, 1115-38-A, 1117-38-A, 1136-38-A. 1154-38-A, 797-38-S, 1079-38-S, 359-38-SA, 499-38-SA, 720-38-SA, 753-38-SA, 842-38-SA and 795-38-SM.

Smoking in Factory, Rules.

Fire Retarding Rules for Garages, etc.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

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NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman*

CALENDAR

DOCKET

New Cases Filed up to December 13, 1938

Cal. No. *Department* *Premises Affected*

1129-38-SA.....National Oil Burner Series N, Models S, I and C, Appliance.

1130-38-A.....F.D.....90 Wythe avenue, southwest corner of North 11th street (Block 2295, Lot 18), Borough of Brooklyn, 360-L.F. and Decision.

1131-38-A.....H.B.B.....2811-2821 East Third Street (Brighton Third street), southeast corner of Canal avenue (Banner avenue); (Block 7261, Lot 47), Borough of Brooklyn, Decision re: Permit No. 1800-11.

1132-38-SM.....Atlas Lumnite Cement, manufactured by The Atlas Lumnite Cement Company, Material.

1133-38-A.....F.D.....27-29 Broadway and 1-7 Dunham place, northwest corner (Block 2468, Lot 26), Borough of Brooklyn, 1019-F and Decision.

1134-38-SM.....Una 3100 Rod and Una 2500 Rod, manufactured by Hobart Welding Accessories, Inc., Material.

1135-38-A.....H.B.B.....113 Weirfield street and 630 Evergreen avenue, northwest corner (Block 3395, Lot 38), Borough of Brooklyn, Applic. 14393-38.

1136-38-A.....F.D.....Manufacture, storage, sale and transportation of "Declene Hydraulic Brake Flushing Fluid" (inflammable mixture), in non-refillable cans in New York City, Decision re: Folder 22-398.

1137-38-BZ.....H.B.B.....1060-1064 Bedford avenue and 224-228 Clifton place, southwest corner (Block 1954, Lots 22 and 24), Borough of Brooklyn, Alt. 18309-38.

1138-38-BZ....H.B.Bx.....2637 - 2645 Webster avenue, west side, 130.60 ft. north of East 194th street (Block 3277, Lot 41), Borough of The Bronx, Alt. 659-38.

1139-38-A.....F.D.....North side of 20th avenue, between East River and Luyster Creek (Block 850, Lot 1), Astoria, Borough of Queens, 77102-L.C.

1140-38-A.....H.B.M.....1 East 62nd street, north side, 100 ft. east of Fifth avenue (Block 1377, Lot 5), Borough of Manhattan, Standpipe Applic. 455-38.

1141-38-A.....F.D.....412 Broadway, east side, 60 ft. 9 in. south of Canal street (Block 196, Lot 7), Borough of Manhattan, 1646-L.F. and Decision.

1142-38-A-WF..H.B.Q.....112-33 Colonial avenue, north side, 77.53 ft. west of Corona avenue (Block 1972, Lots 58 and 59), Corona, Borough of Queens, Alt. 9027-38.

1143-38-BZ.....H.B.B.....1302-1306 60th street and 6001-6007 13th avenue, southeast corner (Block 5719, Lot 7), Borough of Brooklyn, Alt. 17515-38.

1144-38-SM.....Salenite Flameproofing, manufactured by Atlantic Salenite Chemical Company, Material.

1145-38-A-WF..H.B.Q.....133 - 29 Roosevelt avenue, north side, 236.27 ft. east of Lawrence street (Block 4973, Lot 53), Flushing, Borough of Queens, Alt. 7019-38.

1146-38-A-WF..H.B.Q.....103 - 14 Roosevelt avenue, south side, 50 ft. west of 104th street (Block 1975, Lot 9), Corona, Borough of Queens, Alt. 9512-38.

1147-38-A-WF..H.B.Q.....113 - 04 Queens boulevard, south side, 20 ft. east of 76th avenue (Block 3340, Lot 24), Forest Hills, Borough of Queens, Alt. 9513-38.

1148-38-BZ.....H.B.Q.....49-01 48th avenue, northeast corner 49th street (Block 2287, Lots 1, 2, 3, 5, 7 and 8), Long Island City, Borough of Queens, Applic. 7702-38.

1149-38-BZ.....H.B.B.....50-62 East 98th street, west side, 90 ft. north of Rutland road (Block 4600, Lot 30), Borough of Brooklyn, N.B. 6465-38.

1150-38-A.....F.D.....44 Warren street, north side, 125 ft. west of Church street (Block 136, Lot 6), Borough of Manhattan, 1726-L.F.

1151-38-A.....F.D.....173 Broadway and 8 Cortlandt street, northwest corner (Block 63, Lot 21), Borough of Manhattan, 2782-L.F.

1152-38-SM.....Tilo, manufactured by Tilo Roofing Company, Material.

CALENDAR

1153-38-A.....F.D.....10 Cortlandt street, north side, 99 ft. 4 in. west of Broadway (Block 63, Lot 10), Borough of Manhattan, 3413-L.F.

1154-38-A.....H.B.B.....115 Lincoln road, north side, 483 ft. 6 in. east of Washington avenue (Block 1327, Lots 26 and 28), Borough of Brooklyn, Applic. 18756-38.

1155-38-A.....F.D.....1049-1065 Rockaway avenue, east side, 32 ft. 7 in. south of Linden boulevard (Block 3644A, Lot 4), Borough of Brooklyn, 77339-L.C.

1156-38-S.....H.B.B.....661-663 Broadway, east side, 161 ft. 10¼ in. south of Varet street (Block 3112, Lot 5), Borough of Brooklyn, Viol. 3834-38 & Decision.

1157-38-A.....H.B.M.....142 East 34th street, south side, 115 ft. east of Lexington avenue (Block 889, Lot 60), Borough of Manhattan, Alt. 3061-38.

1158-38-A.....H.B.M.....231-237 East 86th street, north side, 218 ft. 5½ in. west of Second avenue (Block 1532, Lots 15 and 16), Borough of Manhattan, Alt. 3480-38 and Alt. 3481-38.

1159-38-SM.....Roebcoat Welding Electrode, Covered, Type 107 DC, Manufactured by John A. Roebling's Sons Company, Material.

1160-38-A.....H.B.Q.....112-12 Northern boulevard, southeast corner of 112th street (Block 1727, Lots 1 and 5), Corona, Borough of Queens, N.B. 5253-38.

1161-38-SM.....Concrete Building Bricks and Concrete Paving Bricks, manufactured by Perforit Paving Block Corporation, Material.

1162-38-A.....H.B.Q.....23-28 35th street, west side, 275 ft. south of 23rd avenue (Block 834, Lot 44), Astoria, Borough of Queens, Viol. 3200-38 and N.B. 3326-35.

COURT DECISIONS

Matter of Nakoma Realty Co., Inc. (Murdock et al)—On May 24, 1938, board permitted street floor stories of building to be used for garage, but, because of requirement that occupancy above ground floor conform to business use district, repair shop and gasoline storage was denied, under section 21, Cal. No. 534-37-BZ, at 144-146 to 148-150 Frost street, Borough of Brooklyn. Mr. Justice Steinbrink sustained board (N. Y. L. J., July 21, 1938), stating: "The determination of the Board of Standards and Appeals rested upon a reasonable basis." App. Div. affd. order of Special Term and sustained board (N. Y. L. J., Dec. 17, 1938). No opinion.

* * *

In re Stelling Realty Corpn. &c. (Murdock et al)—On May 18, 1937, board granted permission for parking of automobiles in business district, for two years under section 7-h, Cal. No. 207-33-BZ, at premises 3090-3102 Webster avenue and 401-409 East 203rd street, southeast corner, Borough of The Bronx. Mr. Justice Hofstadter sustained board (N. Y. L. J., Jan. 12, 1938), stating in part: "It may not be disputed that the governing statute empowers the board to grant a variation subject to such conditions and safeguards as it deems proper. * * * It is clear that section 7-h vests in the board a wide discretion, which the Court may not interfere with in the absence of a compelling showing of abuse and unreasonableness." Appellate Division affirmed order of Special Term and sustained board (December 17, 1938). No opinion.

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules	Nov. 15, 1938—Vol. 23, No. 46
Certificate of Occupancy, approved form	Aug. 23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Dec. 13, 1938—Vol. 23, No. 50
Fire Alarm Rules (Interior)	Oct. 4, 1938—Vol. 23, No. 40
Fire Drill Rules	Nov. 22, 1938—Vol. 23, No. 47
Fire Retarding Rules for Garages, etc.	Dec. 20, 1938—Vol. 23, No. 51
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Nov. 1, 1938—Vol. 23, No. 44
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Oil Burner Rules	Nov. 8, 1938—Vol. 23, No. 45
Paint, Varnish and Lacquer Spraying Rules	Sept. 13, 1938—Vol. 23, No. 37
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Dec. 6, 1938—Vol. 23, No. 49
Smoking in Factories, Rules for	Dec. 20, 1938—Vol. 23, No. 51
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves	Nov. 8, 1938—Vol. 23, No. 45
Fuel Oil Burners for Domestic and Commercial Use	Aug. 30, 1938—Vol. 23, No. 35
Fuel Oil Fill Pipe Terminals	Nov. 1, 1938—Vol. 23, No. 44
Fuel Oil Burners for Industrial Use	Aug. 30, 1938—Vol. 23, No. 35
Fuel Oil Pumps	Nov. 8, 1938—Vol. 23, No. 45
Paint, Varnish and Lacquer Spraying Equipment	Sept. 13, 1938—Vol. 23, No. 37
Range Oil Burners and Space Heaters	Aug. 9, 1938—Vol. 23, No. 32

DECEMBER 20, 1938, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, December* 20, 1938, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 275-38-BZ—Application, April 14, 1938, under section 7h of the building zone resolution, of J. G. L. Molloy, applicant, on behalf of David Zipkin, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles;

premises 225-229 Sherman avenue and 531-537 West 207th street, southeast corner (Block No. 2223, Lot Nos. 1 to 4, inclusive), Borough of Manhattan.

CAL. NO. 436-38-BZ—Application, June 1, 1938, under section 21 of the building zone resolution, of John F. Meehan, applicant, on behalf of Wilgate Holding Corporation, owner, to permit in a business use district, the erection and maintenance of a gasoline service station; premises 53-02 Kissena boulevard, southeast corner of 153rd street, northwest corner of Kissena boulevard and Peck avenue and northeast corner of 153rd street and Peck avenue (Block No. 5163, Lot No. 74), Flushing, Borough of Queens.

CAL. NO. 177-27-BZ—Application of Seelig and Finkelstein, applicants, on behalf of Bay Road Realty Corporation, owner, reopened November 1, 1938, for consideration as to extension of time to obtain permits and to complete work—time having expired by limitation—re Application, previously granted on condition, under section 7c of the building zone resolution, permitting in a residence use district extending from a business use district the erection and maintenance of a building for store occupancy on the first story; premises north side of Broadway (Cornaga avenue), 79.18 ft. east of Mott avenue (Block No. 47, Lot No. 78), Far Rockaway, Borough of Queens.

CAL. NO. 542-38-BZ—Application, June 24, 1938, under section 21 of the building zone resolution, of Patrick Quilty, applicant, on behalf of Department of Water Supply, Gas & Electricity, City of New York, owner, to permit in a business use district the erection and maintenance of an extension to an existing pumping station; extension to be used as a garage for more than five (5) motor vehicles; premises southwest corner of Fresh Meadow road and Underhill avenue (Block No. 5580, Lot No. 140), Flushing, Borough of Queens.

CAL. NO. 418-37-BZ—Application, August 25, 1937, under section 7h of the building zone resolution, of Lauritz Lauritzen, applicant, on behalf of Louis Frisse, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 115-125 Myrtle avenue, north side, 22.89 ft. east of 116th street (Block No. 9257, Lot No. 57), Richmond Hill, Borough of Queens.

CAL. NO. 888-38-BZ—Application, October 11, 1938, under sections 7a and 21 of the building zone resolution, of Abraham Farber, applicant, on behalf of Anchor Laundry of Brooklyn, Inc., owner, to permit in a residence use, and "C" area district, the alteration, extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles, and, also, the omission of the required rear yard; premises 467-473 Prospect avenue, north side, 151 ft. 4 in. west of Prospect Park West (Block No. 1113, Lot No. 62), Borough of Brooklyn.

CAL. NO. 887-38-BZ—Application, October 13, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Samuel Schenkel, owner, to permit in a business use district the erection and maintenance of an additional accessory building on an existing gasoline service station; premises 833-839 4th avenue and 168-176 30th street, southeast corner (Block No. 673, Lot No. 5), Borough of Brooklyn.

CAL. NO. 877-38-BZ—Application, October 13, 1938, under section 21 of the building zone resolution, of George A. Bagge, Jr., applicant, on behalf of Grandboro Realty Corporation, owner, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use; premises 2327 Grand Concourse, west side, 247 ft. north of East 183rd street (Block No. 3164, Lot No. 24), Borough of The Bronx.

CAL. NO. 557-38-BZ—Application, June 24, 1938, under section 21 of the building zone resolution, of Moore and Landsiedel, applicants, on behalf of Washington Heights Automobile Club, Inc., owner, to permit partly in a residence use district and partly in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop; premises 4376 Broadway, east side, 25 ft. 2-4/5 in. south of West 187th street (Block No. 2167, Lot No. 47), Borough of Manhattan.

CAL. NO. 958-38-BZ—Application, October 28, 1938, under sections 21 and 7e of the building zone resolution, of Edgar A. Palmieri, applicant, on behalf of Morris Markowitz, Fany Markowitz, and Mary Schiff, owners, to permit in a business use district the conversion of occupancy of part of an existing building to a garage for more than five (5) motor vehicles; premises 345-347 East 103rd street, north side, 125 ft. west of First avenue (Block No. 1675, Lot Nos. 21 and 22), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

DECEMBER 20, 1938, 2 P. M.

Appeals from Administrative Orders

1009-38-A—57-16 Granger street, south side, 136 ft. east of Martense avenue (Block No. 1950, Lot No. 46), Corona, Borough of Queens.

1095-38-A—1680 Broadway, east side, 60 ft. north of West 52nd street and 808 Seventh avenue (Block No. 1024, Lot No. 38), Borough of Manhattan.

CALENDAR

1107-38-A—207 Greene street, west side, 177 ft. south of West Third street (Block No. 534, Lot No. 31), Borough of Manhattan.

1089-38-A—7-15 16th street, east side, 64 ft. south of Hamilton avenue (Block No. 1045, Lot No. 65), Borough of Brooklyn.

1114-38-A—41-01 to 41-16 12th street, super block bounded by 41st avenue, 21st street, Bridge Plaza north and 12th street (Block No. 463, Lot No. 182 and Block No. 464, Lot No. 114), Long Island City, Borough of Queens.

1121-38-A—12-02 to 12-32 40th avenue, super block bounded by 40th avenue, 21st street, 41st avenue and 12th street (Block No. 467, Lot Nos. 510 and 544 and Block No. 468, Lot No. 457), Long Island City, Borough of Queens.

1122-38-A—10-02 to 10-30 40th avenue, super block bounded by 40th avenue, 12th street, 41st avenue and 10th street (Block No. 469, Lot No. 415 and Block No. 470, Lot No. 375), Long Island City, Borough of Queens.

1123-38-A—10-02 to 10-30 41st avenue, super block bounded by 41st avenue, 12th street, a proposed street (41st road) and 10th street (Block No. 465, Lot No. 35 and Block No. 466, Lot No. 35), Long Island City, Borough of Queens.

1124-38-A—8-02 to 8-32 40th avenue, super block bounded by 40th avenue, 10th street, 41st avenue and Vernon boulevard (Block No. 478, Lot Nos. 1, 22 to 27 inclusive and Block No. 479, Lot No. 1), Long Island City, Borough of Queens.

1125-38-A—8-02 to 8-36 41st avenue, super block bounded by 41st avenue, 10th street, Bridge Plaza North and Vernon boulevard (Block No. 480, Lot No. 1 and Block No. 481, Lot Nos. 1 to 7, inclusive, 8, 12, 16, 36, 55 and 63), Long Island City, Borough of Queens.

31-38-A-WF—112-01 to 112-09 Queens boulevard, 75-01 to 75-09 112th street, northeast corner and 112-16 to 112-40 75th avenue (Block No. 1363, Lot No. 79), Forest Hills, Borough of Queens.

1139-38-A—North side of 20th avenue, between East River and Luyster Creek (Block No. 1067, Lot No. 1), Astoria, Borough of Queens.

1141-38-A—412 Broadway, east side, 60 ft. 9 in. south of Canal street (Block No. 196, Lot No. 7), Borough of Manhattan.

1142-38-A-WF—112-33 Colonial avenue, north side, 77.53 ft. west of Corona avenue (Block No. 1972, Lot Nos. 58 and 59), Corona, Borough of Queens.

1145-38-A-WF—133-29 Roosevelt avenue, north side, 236.27 ft. east of Lawrence street (Block No. 4973, Lot No. 53), Flushing, Borough of Queens.

1146-38-A-WF—103-14 Roosevelt avenue, south side, 50 ft. west of 104th street (Block No. 1975, Lot No. 9), Corona, Borough of Queens.

1153-38-A—10 Cortlandt street, north side, 99 ft. 4 in. west of Broadway (Block No. 63, Lot No. 10), Borough of Manhattan.

1155-38-A—1049-1065 Rockaway avenue, east side, 32 ft. 7 in. south of Linden boulevard (Block No. 3644A, Lot No. 4), Borough of Brooklyn.

1150-38-A—44 Warren street, north side, 125 ft. 6 in. west of Church street (Block No. 136, Lot No. 6), Borough of Manhattan.

1151-38-A—173 Broadway and 8 Cortlandt street, northwest corner (Block No. 63, Lot No. 21), Borough of Manhattan.

1157-38-A—142 East 34th street, south side, 115 ft. east of Lexington avenue (Block No. 889, Lot No. 60), Borough of Manhattan.

1168-38-A—81 Livingston street, north side, 52 ft. east of Court street (Block No. 266, Lot No. 4), Borough of Brooklyn.

1163-38-A—208 West 42nd street, south side, 80 ft. west of 7th avenue (Block No. 1013, Lot No. 137), Borough of Manhattan.

1164-38-A—44-02 11th street, west side, from 44th road to 44th avenue (Block No. 449, Lot No. 13), Long Island City, Borough of Queens.

1170-38-A—770-778 Eastern parkway, south side, 90 ft. west of Kingston avenue (Block No. 1271, Lot Nos. 31 and 34), Borough of Brooklyn.

1160-38-A—112-12 Northern boulevard, southeast corner of 112th street (Block No. 1727, Lot Nos. 1 and 5), Corona, Borough of Queens.

1167-38-A—267-273 South 4th street, 130 Marcy avenue, northwest corner (Block No. 2434, Lot Nos. 207 to 210, inclusive and part of Lot Nos. 213 and 214), Borough of Brooklyn.

1130-38-A—90 Wythe avenue, southwest corner of North 11th street (Block No. 2295, Lot No. 18), Borough of Brooklyn.

1166-38-A—325 East 16th street, west side, 333 ft. 7 in. north of Cortelyou road (Block No. 5147, Lot No. 55), Borough of Brooklyn.

1096-38-A—41-75 Kissena boulevard, northeast corner of Sanford avenue (Block No. 882, Lot No. 1), Flushing, Borough of Queens.

1158-38-A—231-237 East 86th street, north side, 218 ft. 5½ in. west of Second avenue (Block No. 1532, Lot Nos. 15 and 16), Borough of Manhattan.

1165-38-A—1815 Morris avenue, northwest corner of Henwood place (Block No. 2826, Lot Nos. 32, 32¼, 32½ and 33), Borough of The Bronx.

1172-38-A—1520-1524 Bushwick avenue, south side, 50 ft. west of Aberdeen street (Block No. 3466, Lot Nos. 36 and 37), Borough of Brooklyn.

Variations of Labor Law

797-38-S—959-961 East 85th street, east side, 200 ft. north of Avenue J (Block No. 8022, Lot No. 16), Borough of Brooklyn.

1156-38-S—661-663 Broadway, east side, 161 ft. 10¼ in. south of Varet street (Block No. 3112, Lot No. 5), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, December* 20, 1938, at 2 o'clock, in Room 1013, Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CALENDAR

CAL. NO. 676-38-BZ—Application, July 29, 1938, under section 21 of the building zone resolution, of M. Allen Schlendorf, applicant, on behalf of Kroder-Reubel Co., owner, to permit in a business use district the erection and maintenance of a saw and planing mill; premises 75-81 Herbert street, north side, 50 ft. east of North Henry street (Block No. 2828, Lot No. 1), Borough of Brooklyn.

CAL. NO. 245-37-BZ—Application of Nathan Mandel, applicant, on behalf of St. Cloud Construction Corporation, owner, reopened November 1, 1938 for rehearing on new facts (previously denied by board)—Court having referred matter back to board for rehearing and reconsideration—re Application, under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (store); premises 2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx.

CAL. NO. 345-36-BZ—Application of Hahn and Coller, applicants, on behalf of John Seinfeld, owner, reopened November 1, 1938, for rehearing on new facts (previously denied by board)—Court having referred matter back to board for rehearing and reconsideration—re Application, under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use (stores); premises 2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block No. 3161, Lot No. 26), Borough of The Bronx.

CAL. NO. 573-37-BZ—Application, December 3, 1937, under sections 7h and 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Mutual Life Insurance Co. of New York, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of not more than five (5) motor vehicles; premises 158-176 Columbus avenue, 101 West 67th street, 100 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 4, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, January* 4, 1939, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 489-38-BZ—Application, June 14, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 219-01 North Conduit boulevard and 144-01 to 144-09 Springfield boulevard (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

CAL. NO. 95-38-BZ—Application, February 16, 1938, under section 7h of the building zone resolution, of Manufacturers Trust Company, as applicant and trustee, on behalf of R. L. Arcade Co., Inc., owner (William Bartinek, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 136-28 to 136-38 39th avenue, south side, 262.60 ft. east of Main street (Block No. 4980, Lot No. 14), Flushing, Borough of Queens.

CAL. NO. 390-37-BZ—Application, August 4, 1937, under sections 7h and 21 of the building zone resolution, of Aaron A. Roth, applicant, on behalf of George M. Thomson, owner (Joseph Beyer, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 50-02 Skillman avenue, south side, between 50th street and 51st street (Block No. 131, Lot No. 17), Long Island City, Borough of Queens.

CAL. NO. 729-38-BZ—Application, August 22, 1938, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Talbo Gasoline Company, Inc., owner (Colonial Beacon Oil Co., Inc., lessee), to permit in a business use district the extension of an existing gasoline service station; 3150-3158 Boston road, southeast corner of Laconia avenue (Block No. 4614, Lot No. 9), Borough of The Bronx.

CAL. NO. 755-38-BZ—Application, August 30, 1938, under section 7h of the building zone resolution, of Joseph Glicker, applicant and lessee, on behalf of Bankers Trust Co., as trustees of Keith W. Morris and Louis H. Morris, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 890 Dawson street and 935 Intervale avenue, southwest corner (Block No. 2702, Lot No. 41), Borough of The Bronx.

CAL. NO. 1010-38-BZ—Application, November 9, 1938, under section 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Excelsior Savings Bank, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises east side of Jerome avenue, 96 ft. south of

CALENDAR

East 184th street (Block No. 3187, Lot No. 21), Borough of The Bronx.

CAL. NO. 999-38-BZ—Application, November 7, 1938, under sections 21 and 7b of the building zone resolution, of Abram Shlefstein, applicant, on behalf of Duam Realty Holding Co., Inc., owner (Jack Goldstein, lessee), to permit partly in a business use district and partly in a residence use district the extension of a gasoline service station; premises 219-25 Merrick boulevard, northwest corner of 220th street (Block No. 3541, Lot No. 114), Springfield, Borough of Queens.

CAL. NO. 830-38-BZ—Application, September 29, 1938, under sections 7a and 21 of the building zone resolution, of Koch and Wagner, applicants, on behalf of Louis Lachter, owner (H. C. Bohack Co., Inc., lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of an auto laundry on an existing gasoline service station; premises 61-52 to 61-64 Woodhaven boulevard and 61-09 to 61-21 Dry Harbor road, southwest corner (Block No. 2950, part of Lot No. 1), Elmhurst, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 4, 1939, 2 P. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, January* 4, 1939, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 538-37-BZ—Application, November 15, 1937, under section 7h of the building zone resolution, of Nicholas Yannaco, applicant, on behalf of W. H. Flattau & Son, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 501 West 185th street, northwest corner of Amsterdam avenue (Block No. 2156, Lot No. 56), Borough of Manhattan.

CAL. NO. 803-38-BZ—Application, September 20, 1938, under section 7h of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Estate of Leopold Rossbach, owner (Laurence B. Rossbach, trustee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3901-3911 White Plains avenue, northwest corner of East 222nd street (Block No. 4824, Lot Nos. 4 and 7), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 10, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January* 10, 1939, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 740-38-BZ—Application, August 24, 1938, under section 21 of the building zone resolution, of Sutta and Frankel, applicants, on behalf of Janice H. Devore, owner, to permit in a residence use district the erection and maintenance of a gasoline service station and, also, an accessory building to be used as auto laundry, lubritorium and office; premises 1940-1960 Linden boulevard, south side, from Pennsylvania avenue to New Jersey avenue, 785-795 Pennsylvania avenue and 848-858 New Jersey avenue (Block No. 4347, part of Lot No. 1), Borough of Brooklyn.

CAL. NO. 454-37-BZ—Application, September 22, 1937, under sections 7h and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Mary A. Breslin and Elsie F. Breslin, owners (Joseph Pagano, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 9105-9115 3rd avenue, east side, 31 ft. ¼ in. south of 91st street and 310-320 91st street (Block No. 6086, Lot No. 6), Borough of Brooklyn.

CAL. NO. 569-37-BZ—Application, December 2, 1937, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Sophie Galumbeck, owner (Flatbush Coal and Coke Corporation, lessee), to permit in a residence district the operation of coal pockets, coal storage, truck driveway and railroad siding; premises 2030-2044 McDonald avenue, west side, 339 ft. 6 in. north of Avenue S and 49-57 Lake street (Block No. 6680, Lot Nos. 23, 124 and 125), Borough of Brooklyn.

CAL. NO. 858-38-BZ—Application, October 6, 1938, under section 7h of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Margaret Demuth, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3513-3515 Jerome avenue, west side, 180.44 ft. south of Gun Hill road (Block No. 3324-B, Lot No. 142), Borough of The Bronx.

CAL. NO. 984-38-BZ—Application, November 4, 1938, under sections 7b and 21 of the building zone resolution, of Boak and Paris, Inc., applicant, on behalf of Guide Realty

CALENDAR

Company, owner, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a business building (motion picture theatre and stores) and, also, the omission of the required rear yard; premises 3611-3621 Riverdale avenue, west side, 94.7 ft. north of West 236th street (Block No. 3416, Lot No. 162), Borough of The Bronx.

CAL. NO. 824-38-BZ—Application, September 27, 1938, under sections 7c and 21 of the building zone resolution, of Charles O. Heyt, applicant, on behalf of John D. Rockefeller, Jr., owner, to permit partly in a restricted retail use district and partly in a residence use district and also, partly in a one and one-quarter (1¼) times height district and partly in a one and one-half (1½) times height district the erection and maintenance of a business building; a portion of the street walls of said building exceeding the height permitted by the building zone resolution; premises 668-670 Fifth avenue and 2-6 West 53rd street, southwest corner (Block No. 1268, Lot Nos. 40 to 44, inclusive), Borough of Manhattan.

CAL. NO. 94-38-BZ—Application, February 16, 1938, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Jeho Co., Inc., owner (Jamaica Parking Co., Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-02 to 89-12 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 10, 1939, 2 P. M.

Appeals from Administrative Orders

964-38-A—6 Chatham square, west side, 94 ft. 9 in. north of Mott street (Block No. 162, Lot No. 41), Borough of Manhattan.

912-38-A—407-411 Oakland street, west side, 25 ft. north of Clay street (Block No. 2483, Lot No. 37), Borough of Brooklyn.

1118-38-A—59-83 59th street, east side, 272.6 ft. south of 59th drive (Block No. 2649, Lot No. 135), Maspeth, Borough of Queens.

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January* 10, 1939, at 2 o'clock, in Room 1013, Municipal Building, on the following matter:

CAL. NO. 307-33-BZ—Application of Samuel Gilbert, applicant, on behalf of 1758 Realty Co., Inc., owner, reopened December 6, 1938 for consideration as to extension of permit —re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the alteration and change of occupancy of an existing building to a motor vehicle repair shop for a temporary period; premises 1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 17, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January* 17, 1939, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubritory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

CAL. NO. 103-38-BZ—Application, February 15, 1938, under sections 7h and 21 of the building zone resolution, of Sherman S. Rogers, applicant, on behalf of Frank L. Weil, William E. Russell and Raymond J. Scully, trustees of Series C-2, New York Title & Mortgage Co., owner, to permit in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 42-46 Sutton place south, east side, from East 54th street to East 55th street, 425-457 East 54th street and 418-432 East 55th street (Block No. 1366, Lot Nos. 16 and 19 and part of Lot No. 33), Borough of Manhattan.

CAL. NO. 921-38-BZ—Application, October 25, 1938, under section 21 of the building zone resolution, of Joseph V. Iaricci, applicant, on behalf of Joseph P. Kissling, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 110-40 Horace Harding boulevard (Nassau boulevard), southwest corner of Colonial avenue (Block No. 2161, Lot Nos. 115 and 118), Corona, Borough of Queens.

CAL. NO. 1127-38-BZ—Application, December 5, 1938, under sections 7c and 21 of the building zone resolution, of Samuel J. Kessler, applicant, on behalf of M. A. H. Holding Corporation, owner, to permit partly

CALENDAR

in a business use district and partly in an unrestricted use district the alteration and conversion of occupancy of two (2) buildings to a garage for more than five (5) motor vehicles; the existing building is occupied as a garage for more than five (5) motor vehicles and was previously granted by the board and the westerly building is occupied as a dyeing plant also, previously granted by the board; premises 2201-2227 Neptune avenue, north side, between West 22nd street and West 23rd street (Block No. 6990, Lot No. 26), Borough of Brooklyn.

CAL. NO. 840-38-BZ—Application, October 3, 1938, under section 7h of the building zone resolution, of Francis L. Shea, applicant, on behalf of The Trustees of the Sailors Snug Harbor, owner (Gertrude I. Bergoff, lessee), to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 52-58 East 8th street and 305 Mercer street, southwest corner (Block No. 548, Lot Nos. 32 to 35, inclusive), Borough of Manhattan.

CAL. NO. 992-38-BZ—Application, November 5, 1938, under sections 7c and 21 of the building zone resolution, of Joseph M. Lonergan, applicant, on behalf of Fargo Realty Corporation, owner, to permit partly in a business use district and partly in an unrestricted use district the erection and maintenance of a gasoline service station; premises 1062-1066 Swinton avenue and 2800-2810 Eastern boulevard, southeast corner (Block No. 5534, part of Lot No. 1), Borough of The Bronx.

CAL. NO. 1051-38-BZ—Application, November 22, 1938, under section 21 of the building zone resolution, of George G. Miller, applicant, on behalf of Gabriel Besner, owner, to permit in a residence use district the elevation of the rear yard of a multiple dwelling above the limit set by the building zone resolution; premises 2175 Ryer avenue, west side, 102 ft. 5-5/16 in. north of East 181st street (Block No. 3157, Lot No. 59), Borough of The Bronx.

CAL. NO. 17-38-BZ—Application, January 13, 1938, under section 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harlem Savings Bank, owner (Rosemol Realty Corporation, lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 324-328 West 34th street, south side, 325 ft. west of 8th avenue (Block No. 757, Lot Nos. 51 to 53, inclusive), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 17, 1939, 2 P. M.

Appeals from Administrative Orders

1049-38-A—591 Washington street, east side, 75 ft. north of Clarkson street and 610 Greenwich street (Block No. 601, Lot No. 29), Borough of Manhattan.

1126-38-A—477-483 10th avenue, southwest corner of West 37th street (Block No. 708, Lot Nos. 35 and 37), Borough of Manhattan.

1008-38-A-WF—126-14 38th avenue, south side, 100 ft. east of 126th street (Block No. 1826, Lot No. 14), Corona, Borough of Queens.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, DECEMBER 13, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the Board held on Tuesday morning, November 29, 1938 and the minutes of the regular meeting of the board held on Tuesday afternoon, November 29, 1938, were approved as printed in Bulletin No. 49, Volume 23.

BUILDING ZONE CASES

94-38-BZ.

APPLICANT—Arthur W. Renander, for Jeho Co., Inc., owner (Jamaica Parking Co., Inc., lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—89-02 to 89-12 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

APPEARANCES—

For Applicant: None.

For Opposition: Jacob Garlick and G. P. Partrick.

ACTION OF BOARD—Laid over to January 10, 1939 at 10 A. M., on written request of applicant.

803-38-BZ.

APPLICANT—W. H. and J. F. Dusenbury, for Estate of Leopold Rossbach, owner (Laurence B. Rossbach, trustee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

MINUTES

PREMISES AFFECTED—3901-3911 White Plains avenue, northwest corner of East 222nd Street (Block No. 4824, Lot Nos. 4 and 7), Borough of The Bronx.

APPEARANCES—

For Applicant: J. F. Dusenbury and Robert Pleschner.

For Opposition: Joseph M. Edelson, Sol A. Herzog and Benjamin D. Edelson.

ACTION OF BOARD—Laid over to January 4, 1939 at 2 P. M. Applicant to furnish additional information. No further argument.

830-38-BZ.

APPLICANT—Koch and Wagner, for Louis Lachter, owner (H. C. Bohack Co., Inc., lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a & 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of an auto laundry on an existing gasoline service station.

PREMISES AFFECTED—61-52 to 61-64 Woodhaven boulevard and 61-09 to 61-21 Dry Harbor road, southwest corner (Block No. 2950, part of Lot No. 1), Elmhurst, Borough of Queens.

APPEARANCES—

For Applicant: John F. Blaha.

For Opposition: Samuel Slaff, John P. Lorrell and others.

ACTION OF BOARD—Laid over to January 4, 1939 at 10 A. M. on request of attorney for opposition.

148-36-BZ.

APPLICANT—Arthur Epstein, lessee (Bowery Savings Bank, owner).

SUBJECT—Application reopened November 22, 1938 for consideration as to extension of permit—re Application (decision of the commissioner of buildings) previously granted on condition, under section 7h of the building zone resolution, permitting in a business use district the maintenance of a parking lot for the storage of more than five (5) motor vehicles for a temporary period.

PREMISES AFFECTED—1083-1087 Hall place and 856-865 East 167th street, southwest corner (Block No. 2691, Lot No. 86), Borough of The Bronx.

APPEARANCES—

For Applicant: Arthur Epstein.

For Opposition: Sol A. Herzog.

ACTION OF BOARD—Resolution amended and permit extended.

THE VOTE TO AMEND RESOLUTION AND EXTEND PERMIT—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(148-36-BZ)

WHEREAS, Henry Nordheim, for Bowery Savings Bank, owner, filed May 21, 1936, an application under the building zone resolution to permit in a business district the maintenance of a parking lot for the storage of more than five (5) motor vehicles; Premises: 1083-1087 Hall place and 856-864 East 167th street, southwest corner (Block No. 2691, Lot No. 86), Borough of The Bronx; and

WHEREAS, this application was granted by the Board January 12, 1937, on certain conditions and applicant requested an extension of the permit; and

WHEREAS, this application was reopened by vote of the board November 22, 1938; and

WHEREAS a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting December 13, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of January 12, 1937, only so far as it refers to the term of the permit, so that as amended the resolution shall read:

"*Resolved,* that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7 (h) *for a period of two* (2) *years from the date of this action,* permitting the premises under appeal to be used for the parking and storage of automobiles *on condition* that only pleasure cars and not more than five (5) trucks not exceeding two (2) ton capacity shall be stored or parked; that all vehicles stored or parked shall be capable of operation; that the entrance shall be restricted to East 167th street, as at present; that the substantial woven wire fence now on the building line shall be maintained at all times; that no advertising shall be maintained on the premises other than a small sign at the entrance indicating the use of the plot; that no buildings shall be erected on the premises other than a small building not exceeding 10 ft. square for use of the attendant for office; that the plot shall be under supervision of an attendant at all times while the plot is open for business; that no use other than parking and storage shall be made of these premises during the term of the variance; that proper aisles shall be maintained at all times for ingress and exit; that any lights maintained on the premises for general illumination shall be so located as not to be objectionable to the adjoining premises; that a substantial fence shall be maintained along the inner lot line where courts or yards of adjoining buildings occur; that such portable fire appliances shall be maintained on the premises as the commissioner shall direct; that all permits shall be obtained within three months from the date of this action."

478-38-BZ.

APPLICANT—James Ellswick (lessee), for Estate of Emily K. Goodwin, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—252-256 Dyckman street, southeast corner of Payson avenue (Block No. 2246, Lot No. 55), Borough of Manhattan.

APPEARANCES—

For Applicant: Louis Isaacs, Jr., and Thomas Rivetti.

For Opposition: Stanley F. Moffat, Richard Rulze, Philip J. Maron and Sol A. Herzog.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(478-38-BZ)

WHEREAS, James Ellswick (lessee), for Estate of Emily K. Goodwin, owner, filed June 10, 1938, an application under the building zone resolution, to permit in a business use district for a temporary period of not more than two

(2) years, the parking and storage of more than five (5) motor vehicles; Premises: 252-256 Dyckman street, southeast corner of Payson avenue (Block No. 2246, Lot No. 55), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 13, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Dyckman street is in a business, unrestricted and residence use; Payson avenue is in a business and residence use district; Riverside drive is in a residence use district and Seaman avenue is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated June 1, 1938, reads:

"Your application for certificate of occupancy for the use of the above premises for the parking or storage of more than 5 cars has been denied as the premises are located in a business district and this occupancy is prohibited by Article 11, section 4a, subdivision 15 of the Zoning Resolution."

and

WHEREAS, the premises consists of a vacant plot, 75 ft. by 100 ft. in area, which it is proposed to occupy for the parking and storage of more than 5 motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a Committee of the Board, prior to hearing; and

WHEREAS, the Board deemed that applicant had failed to substantiate his basis of appeal under Section 21 and that this was not a case where the Board should exercise its discretion under Section 7-H, in view of the fact that there was no need for a parking lot on these premises.

Resolved, that the decision of the Borough Superintendent, dated June 1, 1938, be and it hereby is *affirmed,* and that the application be and it hereby is *denied.*

589-38-BZ.

APPLICANT—Jay Emanuel, for Franklin Savings Bank in City of New York, owner (Jacob A. Goldstein and May Harris, lessees).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7h and 21 of the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—303 West 51st street, north side, 58 ft. 10½ in. west of Eighth avenue (Block No. 1042, Lot No. 28½ and part of Lot Nos. 29, 30, 30½, 31, 32, 33, 33½ and 34) Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Steinliet and Anthony F. Straub.

For Opposition: None.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(589-38-BZ)

WHEREAS, Jay Emanuel, for Franklin Savings Bank in the City of New York, owner, (Jacob A. Goldstein and May Harris, lessees), filed July 8, 1938, an application under the building zone resolution, to permit in a retail use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; Premises: 303 West 51st street, north side, 58 ft. 10½ in. west of Eighth avenue (Block No. 1042, Lot No. 28½ and part of Lot Nos. 29, 30, 30½, 31, 32, 33, 33½ and 34), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting; December 13, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Eighth avenue is in a retail use district; West 51st street is in a residence, retail and business use district; and West 52nd street is in a residence, retail and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated June 22, 1938, reads:

"Your application for a certificate of occupancy for the use of the above premises as a parking and storage lot for more than five motor vehicles has been denied for the reason that the premises are located in a retail district where this occupancy is prohibited by Article 11, section 4a, subdivision 15 of the zoning Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 100 ft. on West 51st street and 160 ft. 6 in. on Eighth avenue. The Eighth avenue frontage of the premises is developed with one story taxpayers. It is proposed to use the rear yards of these taxpayers and also a vacant lot having a frontage of 20 ft. on West 51st street, for a temporary period of not more than 2 years, for the parking and storage of more than five motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the Board, prior to hearing; and

WHEREAS, the Board deemed that this was a proper case to exercise its discretion under Section 7, Subdivision H of the building zone resolution and that hardship existed as to the portion of plot with store buildings on the front, to warrant granting under Section 21, the use desired within the retail use district of the plot.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted* under Section 7h, for a temporary period of two years to permit the unbuilt-on portion of the plot facing Eighth avenue and the adjoining lot facing 51st street to be used for transient parking of more than five (5) motor vehicles, *on condition* that only motor vehicles of the pleasure car type shall be so parked; that the entire area to be so used, shall be graded substantially to the level of West 51st street and shall be surfaced with steam cinders and clean gravel or other suitable material, properly rolled and bound to prevent dusting and to provide surface drainage; that on the interior lot lines, where walls of surrounding buildings do not occur, there shall be erected a substantial woven wire fence and a similar fence shall be erected along the street line of West 51st street, except for entrance not exceeding 20 ft. in width, with curb cut opposite not over 20 ft.; that no signs shall be erected on the premises, other than a sign attached to the fence at the building line, advertising the parking use; that during the term of this variance, this portion of the premises shall be used for no other use; that proper aisles shall be maintained at all times for easy entrance and exit; that no building shall be erected upon the plot under appeal, except that there may be erected a building not exceeding 150 sq. ft. in area, not more than one story in height, which may be of frame, as an office and shelter for the attendant; that such portable fire-fighting appliances shall be maintained, as the Fire Commissioner shall direct; and that all permits shall be obtained and all work completed within six months from the date of this action.

MINUTES

772-38-BZ.

APPLICANT—Morton E. Bleich, for Henry Phipps Estates, owner (Ross, Frankel, Inc., lessee).

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 7a, 7e and 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business and factory building.

PREMISES AFFECTED—281-289 Ninth avenue and 402-414 West 27th street, southwest corner (Block No. 724, Lot No. 36), Borough of Manhattan.

APPEARANCES—

For Applicant: Morton E. Bleich and Andrew Taggart.

For Opposition: Charles E. Lane and Antonio Batista.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(772-38-BZ)

WHEREAS, Morton E. Bleich, for Henry Phipps Estates, owner (Ross, Frankel, Inc., lessee), filed August 26, 1938, an application under the building zone resolution, to permit in a residence use district, the erection and maintenance of a business and factory building; premises: 281-289 Ninth avenue and 402-414 West 27th street southwest, (Block No. 724, Lot No. 36), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 13, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that West 27th street is in a residence and retail use district; West 26th street is in a residence and retail use district; Ninth avenue is in a retail use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated November 3, 1938, re Alteration Application No. 1924-38, reads:

"2. As proposed construction is located in a residence district, use must conform to Art. 2 Sec. 3, Building Zone Resolution. Business and factory uses are in violation of said section."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 98 ft. 9 in. on Ninth avenue and 250 ft. on West 27th street. Upon the easterly portion of the plot there is located a 4 story building 98 ft. 9 in. by 190 ft. in area; occupied as factory and showrooms. Upon the (vacant) westerly portion of the plot it is proposed to erect a one story, non-fireproof building to be occupied as a business and factory building; and

WHEREAS, the plot and surrounding area were inspected by a Committee of the Board, prior to the hearing; and

WHEREAS, the Board deemed that the provisions of Section 7, subdivision A, of the Building Zone Resolution, under which this application was made, empowered the Board to exercise its discretion and to grant this application under such conditions that would safeguard the character of the more restricted district.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted,* under Section 7-A, to permit the extension as proposed, consisting of a one-story building, at the rear, substantially as indicated on plans filed with this application, *on condition* that this building shall be constructed generally of fireproof materials, except that the roof beams and roof boarding may be of wood, provided the ceilings are fire-retarded and the roof surfacing is of non-flammable material; that this building shall be used only in connection with existing four-story building on the plot and that the use shall not be permitted to continue in the event the building is removed; that the building shall be protected with a sprinkler system which may be extended from the adjoining building; that the rear yard, as indicated on plans filed with this application, shall be left open and unbuilt upon, as required by the Building Zone Resolution; that the existing brick wall on the rear lot line shall not be reduced in height; that any skylights ereeted in the roof, shall be of metal frames and sash, glazed with wire glass; that such skylights shall not be nearer to any lot line than 10 ft.; and that all permits shall be obtained and all work shall be completed within one year from the date of this action.

774-38-BZ.

APPLICANT—Giaccone and Richard, for Hungarian Society of New York, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district, the erection and maintenance of a business building.

PREMISES AFFECTED—West side of Cypress Hills street, 150 ft. inside of premises and 500 ft. north of Interborough parkway (Block No. 3750, Lot Nos. 280 and 290), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: Harry B. Richard.

For Opposition: G. Oberdorfer.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(774-38-BZ)

WHEREAS, Giaccone & Richard, for Hungarian Society of New York, owner, filed September 7, 1938, an application under the building zone resolution, to permit in a residence use district, the erection and maintenance of a business building; premises: West side Cypress Hills street, 150 ft. inside and 500 ft. north of Interboro Parkway (Block No. 3750, Lot Nos. 280, 290), Glendale, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 13, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Interborough parkway is in a residence use district and Cypress Hills street is in a residence use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings dated August 8, 1938, reads:

"The erection of a storage shed (business building) in a residence district is contrary to Art 2, Section 3 of the Zone Law."

and

WHEREAS, the premises consist of a large, irregular shaped plot of ground having a frontage of 658 ft. on Interborough Parkway and 500 ft. on Cypress Hills street; occupied as a cemetery. It is proposed to erect and maintain near the northerly lot line of the premises in question,

a frame shed 25 ft. by 39 ft. in area for the storage of equipment of the cemetery; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, prior to the hearing; and

WHEREAS, cemeteries, unlike parks, are zoned as to use; and

WHEREAS, the Board deemed that the applicant was entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

RESOLVED, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 21 thereof, to permit the construction of the utility business building substantially as indicated on plans filed this application, *on condition* that the building shall not be nearer than 150 feet from the line of Cypress Hills street; that shrubs shall be planted along the building line on the Cypress Hills street side and that all permits required shall be obtained and all work completed within six months from the date of this action.

869-38-BZ.

APPLICANT—Alexander A. Forman, 3rd, for Higbie Springfield Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7b of the building zone resolution, to permit in a residence use district, extending from a business use district, the exit from a place of public assembly (bowling alleys).

PREMISES AFFECTED—116-51 219th street and 219-01 Linden boulevard, northeast corner (Block No. 2153, Lot Nos. 6 to 10 inclusive), St. Albans, Borough of Queens.

APPEARANCES—

For Applicant: Alexander A. Forman, 3rd.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(869-38-BZ)

WHEREAS, Alexander A. Forman, 3rd, for Higbie Springfield Corporation, owner, filed October 7, 1938, an application under the building zone resolution, to permit in a residence use district, extending from a business use district, the exit from a place of public assembly (bowling alleys); premises: 116-51 219th street and 219-01 Linden boulevard, northeast corner (Block No. 2153, Lot Nos. 6 to 10 inclusive), St. Albans, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 13, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Linden boulevard is in a business use district; 219th street is in a residence and business use district and 220th street is in a residence and business use district; and

WHEREAS, the decision of the borough superintendent of buildings dated October 8, 1938, reads:

"1. Egress leads to residential part of lot (extending a business use into a residence district is contrary to the Zone Law)."

and

WHEREAS, the premises consists of a plot of ground having a frontage of 100.01 ft. on Linden boulevard and 105 ft. on 219th street. The northerly portion of the plot extends into a residence use district for a distance of 5 ft. —the remainder of the plot is in a business use district. It is proposed to erect upon the plot a 2-story building having a frontage of 100 ft. on Linden boulevard and 100 ft. on 219th street; to be occupied as stores, motion picture theatre and bowling alleys (in the basement). It is proposed to locate the exit from the bowling alleys upon that portion of the plot located in a residence use district; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, prior to the hearing; and

WHEREAS, the board deemed that the provisions of section 7, subdivision b, of the building zone resolution, under which this application was made, empowered the board to exercise its discretion and grant this application.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 7b thereof, to permit the rear portion of the plot within the residential use area to be used as a means of exit from the proposed rear stairway from the cellar, *on condition* that a suitable concrete walk shall be constructed and a fence erected on the building line with a gate having an approved latch openable from the inside; that such fence may be in connection with a fence at the driveway of the adjoining house on Lot No. 11; that there shall be constructed a door at the entrance passageway in the cellar, closing off such passageway from the main area to be occupied by the bowling alleys and that a sign shall be painted on such door, reading "For Exit Purposes Only"; that in all other respects, the requirements of all other laws, rules and regulations applying to construction and occupancy shall be complied with and that all permits required shall be obtained and all work involved completed within one year from the date of this action.

873-38-BZ.

APPLICANT—Edward Necarsulmer, for Congregation Emanu-El (Salem Fields Cemetery), owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of two (2) business buildings.

PREMISES AFFECTED—67-18 Interborough parkway, south side, 83.70 ft. west of Cypress Hills street (Block No. 3740, Lot No. 250), Glendale, Borough of Queens.

APPEARANCES—

For Applicant: William Schoen.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(873-38-BZ)

WHEREAS, Edward Necarsulmer, for Congregation Emanu-El (Salem Fields Cemetery), owner, filed October 11, 1938, an application under the building zone resolution, to permit in a residence use district the erection and maintenance of two (2) business buildings; premises: 67-18 Interborough parkway, south side, 83.70 ft. west of Cypress Hills street (Block No. 3740, Lot No. 250), Glendale, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regu-

lar meeting, December 13, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Cypress Hills street is in a residence use district, and Interborough parkway is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated September 19, 1938, re N. B. Application No. 6457-38, reads:

"The location of business buildings in a residence district is contrary to Sec. 3 of Building Zone Resolution. Plans and application not further considered."

and

WHEREAS, the premises consist of a large, irregular shaped plot of ground having a frontage of 582 ft. on the Interborough parkway and a distance of approximately 718 ft. along the southwesterly lot line; occupied as a cemetery. It is proposed to erect upon the residence use portion of the plot, two 1-story frame accessory buildings; one building is 25 ft. 8 in. by 91 ft. 3 in. in area, to be occupied as private garage and storage rooms; the other building is 25 ft. 8 in. by 46 ft. in area, to be occupied as storage rooms; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the board, prior to the hearing; and

WHEREAS, cemeteries, unlike parks, are zoned as to use; and

WHEREAS, the board deemed that the applicant was entitled to relief under section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under section 21 thereof, to permit the erection of the proposed business utility buildings substantially as indicated on plans filed with this application, *on condition* that suitable planting, shrubs, shall be done to screen these buildings from the adjoining National Cemetery and from the park and that all permits required shall be obtained and all work completed within one year from the date of this action.

Adjourned, 1 P.M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 13, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

573-37-BZ.

APPLICANT—Herman Kron, for Mutual Life Insurance Company of New York, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—158-176 Columbus avenue, 101 West 67th street, 100 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.

For Opposition: None.

ACTION OF BOARD—Laid over to December 20, 1938 at 2 P. M. Applicant to file new decision.

458-37-BZ.

APPLICANT—Lama and Proskauer, for East Brooklyn Savings Bank, owner.

SUBJECT—Application for consideration—reopening and amendment to permit erection of gasoline service station prior to erection of garage—re Application (decision of the commissioner of buildings) under sections 7c and 21 of the building zone resolution, permitting partly in a business use district and partly in an unrestricted use district the erection and maintenance of a building to be used as a garage for more than five (5) motor vehicles and a motor vehicle repair shop and, also, the establishment of a gasoline service station.

PREMISES AFFECTED—374-386 Willoughby avenue and 903-907 Bedford avenue, southeast corner (Block No. 1762, Lot Nos. 32 and 36), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Request to reopen withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

362-38-BZ.

APPLICANT—David Steckler, for Henry Felsenstein, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 6a, 6b, and 21 of the building zone resolution, to permit in a residence use district the extension in area of a garage and gasoline service station.

PREMISES AFFECTED—2042-2044 Ocean avenue, west side, 470 ft. south of Avenue O (Block No. 6766, Lot No. 36 and part of Lot No. 38), Borough of Brooklyn.

APPEARANCES—

For Applicant: David Steckler.

For Opposition: Jerome A. Wanshel and Milton Robinson.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(362-38-BZ)

WHEREAS, David Steckler, for Henry Felsenstein, owner, filed May 11, 1938, an application under the building zone resolution, to permit in a residence use district, the ex-

tension in area of a garage and gasoline service station; premises: 2042-2044 Ocean avenue, west side, 470 ft. south of Avenue O—(Block No. 6766, Lot No. 36, and part of Lot 38), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 13, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Ocean avenue is in a residence use district; East 19th street is in a residence use district; Avenue O is in a residence use district and Avenue P is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated April 18, 1938, re Application No. 4703-1938, reads:

> "Extending area of garage and gasoline station in a residential district is contrary to Art. 2, Sect. 6 of the Zone Resolution."

and

WHEREAS, the premises, part of a larger parcel of property, consists of a plot of ground having a frontage of 60 ft. and a depth of 151 ft. 6¾ in. On the northerly portion of the plot there is located a garage for more than five (5) motor vehicles and a gasoline service station; at the northerly rear of the plot there are located two grease pits. It is proposed to remove the existing 2 ft. high brick curbing along the south line of the existing gasoline station; to erect a 3 ft. high brick wall—parallel with and 20 ft. south of the south wall of the existing garage and to use the space between this 3 ft. high brick wall and the existing garage and gasoline station, as an extension to the existing gasoline service station and garage; and

Whereas, the plot and surrounding area were inspected by a committee of the board, and report of such inspection recommended denial of this application, which report reads as follows:

REPORT OF COMMITTEE.

Cal. No. 362-38-BZ
2042-2044 Ocean Ave., Brooklyn.

December 5, 1938.

This application for a zoning variance has been filed as suggested by the board when acting on Cal. No. 622-37-A. The decision of the board rendered in that application on March 15, 1938, is now subject to court review. The zoning variance now sought under section 21 is to increase the area of the existing gasoline selling station located in front of the existing garage on lot 36 by adding an area twenty feet in width by forty feet in depth (determined by scaling in absence of stated dimension) being part of the easterly portion of lot 38 to the south, so as to facilitate the exiting of automobiles after being serviced with gasoline. At present this space is being so used together with an additional twenty feet, comprising altogether the entire front portion of lot 38, having a frontage of 40 feet. With the frontage of lot 36 on which the gasoline station and garage is located also having a frontage of 40 feet, there is a total of 80′ frontage now being used. Under Cal. No. 622 of 1937-A, the Board determined the legality of the existing uses on lot 36 and revoked a certificate of occupancy which incorrectly included the northerly half or 20 feet of lot 38. At that time the Board did not call attention to the fact that the entire frontage of 40 feet of lot 38 was in use for gasoline selling purposes. The use of the extra 20 feet, or southerly half of lot 38, was covered by none of the certificates of occupancy and accordingly was not before the Board as an issue in Calendar No. 622 of 1937-A. Photograph No. 1 indicates clearly how the front portion is now being used. The photograph does not show the greasing lift within the gasoline selling area which further congests the area. It is, however, shown on the plan. There is a curb cut opposite the center of the garage. There are gasoline pumps on the street building line and also against the front wall of the recessed building. A car entering for gasoline service can pass between these pumps or in front of those on the building line, thus occupying the public sidewalk. To leave the station, a car must either back out across the sidewalk or pass across the front portion of lot 38 and out through the curb cut to the south of the pole supporting trolley car wires. Because of the location of the pumps, the corner column supporting the overhanging portion of the building and the trolley pole, no car could exit through without creating a seriously dangerous condition. At present the forty foot frontage of lot 38 is used as an extension of the gasoline station, with a curb cut opposite the southerly portion of lot 38, which is not included in this application. Servicing equipment is also placed there, such as an air pump, a tire rack, a compartment for supplies and an exterior stairway to reach the second story of the garage used as an office and for general storage of accessories. In the masonry wall is an entrance to the rear of lot 38, which is used without a permit for parking and storage of cars, in conjunction with the unbuilt upon rear of lot 36. This use the applicant proposes to dispense with if the relief sought is granted.

In the opinion of the Committee, the extension of area sought will create an unworkable and dangerous condition. The Committee sees no reason why any extension of area should be granted to cure a condition of the owner's own making. Because he sells gasoline on the forty foot garage plot and cannot do so comfortably, there appears to be no basis of hardship to justify the Board in permitting an extension of area to permit an increase of the non-conforming uses already a misfit in this residential zone.

Non-conforming uses have already been extended without justification over the entire lot 38.

The applicant brings this application under section 21 and also section 6 of Article 2. The Board has no power to grant a zoning variance under section 6. Its powers are under section 7 and section 21. Under section 6 are set forth what as a matter of right may be permitted by the Borough Superintendent of Buildings, as to uses existing on July 25, 1916. The Borough Superintendent has already ruled correctly that the proposed extension of use of this garage and gasoline selling station cannot be granted by him as a matter of right and under the provisions of section 6. The status of the existing garage and gasoline service station the Board has already passed on, under Cal. No. 622 of 1937-A, and they are not an issue here. The sole issue now before the Board is the proposed extension to the existing gasoline station of twenty feet and comprising the northerly half of lot 38 for a distance back from the street building line of forty feet. For the reasons herein set forth, the Committee recommends that the application be denied.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

and

WHEREAS, the board deemed that the applicant failed to substantiate a basis of appeal under section 21 of the building zone resolution and was, therefore, not entitled to relief on the grounds of practical difficulty and unnecessary hardship and that the board has no jurisdiction to exercise discretion to grant under section 6.

Resolved, that the decision of the borough superintendent in acting on Application No. 4703-38, be and it hereby is *affirmed,* and that the application be and it hereby is *denied.*

458-38-BZ.

APPLICANT—W. H. and J. F. Dusenbury, for Sun-Ray Realty and Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—1800-1808 East 177th street, southeast corner of Beach avenue (Block No. 3881, Lot Nos. 11 to 15, inclusive), Borough of The Bronx.

APPEARANCES—

For Applicant: Joseph F. Dusenbury.

For Opposition: Sol A. Herzog.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative 0

Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Absent 0

THE RESOLUTION—

(458-38-BZ)

WHEREAS, W. H. and J. F. Dusenbury, for Sun-Ray Realty and Holding Corporation, owner, filed June 3, 1938, an application under the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 1800-1808 East 177th street, southeast corner of Beach avenue (Block No. 3881, Lot Nos. 11 to 15, inclusive), Borough of The Bronx; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 13, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 177th street is in a business use district; Beach avenue is in a business use district; Taylor avenue is in a residence and business use district and McGraw avenue is in a business use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated June 22, 1938, re N.B. Application No. 596-1938, reads:

"1. Parking and storage of more than five motor vehicles located in a business district is contrary to Section No. 4, Article No. 2, of Amended Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 114.3 ft. on East 177th street, 110.9 ft. on Beach avenue and 104.4 ft. along the south lot line. It is proposed to use the site for a temporary period of not more than two (2) years, for the parking and storage of more than 5 motor vehicles; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, and verbal report of such inspection recommended denial of this application; and

WHEREAS, the board deemed that it was not a proper case to exercise its discretion under section 7h of the building zone resolution.

Resolved, that the decision of the borough superintendent in acting on N.B. Application No. 596-38, be and it hereby is *affirmed,* and that the application be and it hereby is *denied.*

558-37-BZ.

APPLICANT—Philip S. Garozzo, for Michael Garozzo, for Druiss Co., Inc., owner.

SUBJECT—Application for consideration—reopening and extension of time—re application (decision of the commissioner of buildings) under section 7h of the building zone resolution, permitting in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—62-66 Henry street and 23-29 Market street, southwest corner (Block No. 277, Lot Nos. 24, 25, 26 and 27), Borough of Manhattan.

APPEARANCES—

For Applicant: Philip S. Garozzo.

ACTION OF BOARD—Application reopened and time extended.

THE VOTE TO REOPEN AND EXTEND TIME—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(558-37-BZ)

WHEREAS, Michael Garozzo, for Druiss Co., Inc., owner, filed, November 26, 1937, an application under the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises: 62-66 Henry street and 23-29 Market street, southwest corner (Block No. 277, Lot Nos. 24, 25, 26 and 27), Borough of Manhattan; and

WHEREAS, this application was granted by the board September 27, 1938, on certain conditions and applicant requested an extension of time to complete the work.

Resolved, that the resolution adopted by the board on September 27, 1938, be and it hereby is *amended,* so that as amended the resolution will read:

Resolved, that the Board of Standards and Appeals dies hereby *make a variation* in the application of the use district regulations of the building one resolution, and that the application be and it hereby is *granted under section 7-11, for a term of two (2) years* from *September 27,* 1938, to permit the premises under appeal to be used for parking and storage of more than five (5) motor vehicles, *on condition* that only automobiles of the pleasure-car type shall be so parked or stored; that there shall be erected on the street building lines and on interior lot lines, where walls of adjoining buildings do not occur, a substantial wooden or woven-wire fence; that if a wooden fence is erected, the fence and posts shall be kept painted and no advertising or posters shall be permitted thereon; that no entrance shall be installed, except from Henry street by means of curb cut not exceeding 15 ft. in width; that during the term of this variance, the plot shall be used for no other purpose than as herein permitted; that no servicing of cars shall be permitted on the premises; that no building shall be erected on plot, except there may be erected a building for office and shelter of attendant, *where shown on plans,* not exceeding one story in height and 150 sq. ft. in area; that proper aisles shall be maintained at all times for easy entrance and egress; that such portable fire-fighting appliances as the fire commissioner shall direct shall be provided; that the surface of the plot shall be properly covered with steam cinders or gravel or other suitable material; that any lights for general illumination shall be so arranged as to reflect towards the centre of premises and away from adjoining occupancies; that no signs shall be permitted on property, except a sign near the entrance advertising the parking and storage use and a similar sign erected near the corner of intersecting streets within the lot lines, no sign to exceed 15 sq. ft. in area; and that all permits shall be obtained and all work shall be completed within *three* months from the date of this action.

MINUTES

416-38-BZ.

APPLICANT—Emanuel H. Jerabek, for Josephine Pokorny, owner.

SUBJECT—Application for consideration—reopening and amendment—re application (decision of the borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, permitting in a business use district, the extension and conversion of occupancy of an existing building, to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop.

PREMISES AFFECTED—162-42 to 162-44 Pidgeon Meadow road (Fresh Meadow road), west side, 235.23 ft. north of Laburnum avenue (Block No. 5461, Lot Nos. 44, 46, 47 and 49), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Emanuel H. Jerabek and Frank Braem.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(416-38-BZ)

WHEREAS, Emanuel H. Jerabek, for Josephine Pokorny, owner, filed May 27, 1938, an application under the building zone resolution, to permit, in a business use district, the extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles and also a motor vehicle repair shop; premises: 162-42 to 162-44 Pidgeon Meadow road (Fresh Meadow road), west side, 235.23 ft. north of Laburnum avenue (Block No. 5461, Lot Nos. 44, 46, 47 and 49), Flushing, Borough of Queens; and

WHEREAS, this application was granted by the board October 18, 1938, on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on October 18, 1938, be and it hereby is amended, only so far as it has reference to the requirements for fireproof construction, so that as amended the resolution will read:

"*Resolved*, that the Board of Standards and Appeals does hereby *made a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under section 21, to permit the existing gasoline station and automobile repair shop to be reconstructed and rearranged substantially as indicated on revised plans marked 'Received October 18, 1938,' *on condition* that all structures now existing on the premises shall be entirely removed; that the plot now used as a gasoline station, shall not be further extended; that only one new structure shall be constructed, one and two stories in height, to be occupied on the ground floor for repair shop and garage for more than five (5) motor vehicles, and on the 2nd story as living quarters for the owner; that this building shall be constructed with brick walls and *that this building shall be constructed with brick walls and shall comply in all respects for a Class 3 building, except that the ceiling of the garage portion shall be fire-retarded with metal lath and ¾-inch cement plaster throughout and any exit from the 2nd story shall be enclosed on the 1st story with walls or partitions similarly fire-retarded construction on both sides and provided there is also installed within the 1st story directly under the portion to be used for living quarters, sprinkler heads fed by a street tap, not less than 1 inch in diameter; that plans showing the lay-out of the sprinkler equipment shall be submitted to the board for approval prior to filing with the borough superintendent; that in the event the owner desires to construct the floor under the portion to be occupied for residential purposes of Class 1 construction in place of installing the fire-retarding and sprinkler system, as hereinbefore required, such construction may be substituted therefor; that any skylights in the rear portion shall be glazed with plain glass with screen over and under; with no skylight nearer than 5 ft. to any portion of the 2nd story; that window frames and sash, door frames and doors may be of wood;* that the entire plot shall be graded substantially to the grade of Fresh Meadow road, and where not occupied by walls and accessory buildings, such portion shall be cement paved; that on the interior lot lines there shall be erected a substantial woven-wire fence of the anchor post type, not less than 6 ft. in height, except where rear walls of accessory building occur; that gasoline pumps shall be erected not nearer than 10 ft. to the new street line of Fresh Meadow road; that curb cut entrances shall not exceed those now existing, which consist of two, one 45 ft. in width and one 25 ft. in width, as covered by existing permits; that all signs shall be restricted to permanent signs attached to accessory building and to the globes of the gasoline pumps, excluding all roof signs and temporary signs, but permitting the erection within the building line of one post standard for supporting a sign, which may be illuminated and advertising only the brand of gasoline sold, provided no sign extends beyond the building line for a distance of more than 4 ft.; that there shall be no parking or storage of cars on the property other than those being serviced; that no portable gasoline tanks shall be used on or from the premises; and that all permits shall be obtained and all work shall be completed within one year from the date of this action."

APPEALS FROM ADMINISTRATIVE ORDERS

912-38-A.

APPLICANT—Ansonia Fire Prevention Engineering Co., Inc., for Richardson Rag & Paper Stock Co., owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—407-411 Oakland street, west side, 25 ft. north of Clay street (Block No. 2483, Lot No. 37), Borough of Brooklyn.

APPEARANCES—

For Applicant: George E. Green.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 10, 1939, at 2 P. M., for inspection by a committee of the board.

964-38-A.

APPLICANT—George G. Lake, for John J. Campbell, adjoining property owner.

OWNER OF PREMISES—Estate of David McClenahan, Martha McClenahan and Robert Miller, trustees.

LESSEE—Joseph West.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re revocation of Certificate of Occupancy, No. 21340-1936.

PREMISES AFFECTED—6 Chatham square, west side, 94 ft. 9 in. north of Mott street (Block No. 162, Lot No. 41), Borough of Manhattan.

APPEARANCES—

For Applicant: George G. Lake.

For Tenant: O. Edwards and Elmer A. Rogers.

For Administration: Fred Dahlem, Department of Housing and Buildings.

MINUTES

ACTION OF BOARD—Laid over to January 10, 1939, at 2 P. M., for decision by the board, without further argument.

1008-38-A-WF.

APPLICANT—Lempi Toivonen, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—126-14 38th avenue, south side, 100 ft. east of 126th street (Block No. 1826, Lot No. 14), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Lempi Toivonen.

For Opposition: A. S. Hodgkiss, Park Department, L. C. Squire, Worlds Fair.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 17, 1939, at 2 P. M. for inspection by a committee of the board; also for report from Police Department and further information from building department.

1049-38-A.

APPLICANT—Great Atlantic Paper Company, lessee.

SUBJECT—Appeal from an order and decisions of the fire commissioner.

PREMISES AFFECTED—591 Washington street, east side, 75 ft. north of Clarkson street and 610 Greenwich street (Block No. 601, Lot No. 29), Borough of Manhattan.

APPEARANCES—

For Applicant: B. Anschluss.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Laid over to January 17, 1939, at 2 P. M., on request of applicant's representative.

1089-38-A.

APPLICANT—Arthur C. Mandel, for Arizona Lacquer Manufacturing Company, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—7-15 Sixteenth street, east side, 64 ft. south of Hamilton avenue (Block No. 1045, Lot No. 65), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur C. Mandel.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 20, 1938, at 2 P. M. to obtain a report from Division of Combustibles, Fire Department.

1114-38-A.

APPPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—41-01 to 41-16 12th street, super block bounded by 41st avenue, 21st street, Bridge Plaza north and 12th street (Block No. 463, Lot No. 182 and Block No. 464, Lot No. 114), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Allan F. Harrison, J. A. Walsh and H. C. Lamb.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 20, 1938, at 2 P. M. Applicant to furnish additional data.

1121-38-A.

APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—12-02 to 12-16 40th avenue, super block bounded by 40th avenue, 21st street, 41st avenue and 12th street (Block No. 467, Lot Nos. 510-544 and Block No. 468, Lot No. 457), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Allan F. Harrison, J. A. Walsh and H. C. Lamb.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 20, 1938, at 2 P. M. Applicant to furnish additional data.

1122-38-A.

APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—10-02 to 10-30 40th avenue, super block bounded by 40th avenue, 12th street, 41st avenue and 10th street (Block No. 469, Lot No. 415, Block No. 470, Lot No. 375), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Allan F. Harrison, J. A. Walsh and H. C. Lamb.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 20, 1938, at 2 P. M. Applicant to furnish additional data.

1123-38-A.

APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—10-02 to 10-30 41st avenue, super block bounded by 41st avenue, 12th street, a proposed street, 41st road and 10th street (Block No. 465, Lot No. 35 and Block No. 466, Lot No. 35), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Allan F. Harrison, J. A. Walsh and H. C. Lamb.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 20, 1938, at 2 P. M. Applicant to furnish additional data.

1124-38-A.

APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—8-02 to 8-32 40th avenue, super block bounded by 40th avenue, 10th street, 41st avenue and Vernon boulevard (Block No. 478, Lot Nos. 1, 22-27 inclusive and Block No. 479, Lot No. 1), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Allan F. Harrison, J. A. Walsh and H. C. Lamb.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 20, 1938, at 2 P. M. Applicant to furnish additional data.

MINUTES

1125-38-A.

APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—8-02 to 8-32 41st avenue, super block bounded by 41st avenue, 10th street, Bridge Plaza north and Vernon boulevard (Block No. 480, Lot No. 1 and Block No. 481, Lot Nos. 1-7 inclusive, 8, 12, 16, 36, 55 and 63), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Allan F. Harrison, J. A. Walsh and H. C. Lamb.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to December 20, 1938, at 2 P. M. Applicant to furnish additional data.

1126-38-A.

APPLICANT—Croker Fire Prevention Corporation, for Richard E. Thibaut, Incorporated, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—477-483 Tenth avenue, southwest corner of West 37th street (Block No. 708, Lot Nos. 35 and 37), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Laid over to January 17, 1939 at 2 P. M. for inspection by a committee of the board.

1043-38-A.

APPLICANT—Nathaniel Borah, for Annie Grief, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—859 Westchester avenue, northwesterly side, 242 ft. northeast of Prospect avenue (Block No. 2690, Lot No. 10), Borough of The Bronx.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal withdrawn to comply.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

850-38-A.

APPLICANT—James Haughey, neighboring property owner.

OWNER OF PREMISES—Henrietta Coopersmith.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re—revocation of Certificate of Occupancy—No. 2289-34 for stable for more than five (5) horses (Riding Academy).

PREMISES AFFECTED—North side of Walling street, 100 ft. east of Northern boulevard (southeast corner of Sybilla street and Viola place), (Block No. 3895, rear of Lot No. 1), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Victor D. Borst, Jr.

For Owner: Jacob Beller.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted and Certificate of Occupancy revoked.

THE VOTE TO GRANT AND REVOKE CERTIFICATE OF OCCUPANCY—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(850-38-A)

WHEREAS, James Haughey, neighboring property owner, filed on October 6, 1938, an application for revocation of Certificate of Occupancy No. 2289-34, affecting premises north side of Walling street, 100 ft. east of Northern boulevard (southeast corner of Sybilla street and Viola place); (Block 3895, Lot No. 1), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated September 19, 1938, reads:

"Regarding request made for revocation of Certicate of Occupancy issued for the following premises:

Certificate of Occupancy No. 2289 of 1934 issued for premises situated on the northerly property line—Hoffman's Stable (Southeast corner Sybilla street and Viola place),

Be advised that I have no authority to revoke this Certificate and must therefore advise you that any request for its revocation should be made to the Board of Standards and Appeals, Municipal Building, Center and Chambers Street, N. Y. C., which board has such authority, if it so sees fit."

and

WHEREAS, the building is one story (11 ft.) in height, 22 ft. by 22 ft. in area, of frame construction, located on a plot 50 ft. front by 156.11 ft. irregular in area; erected after 1930; located in a business use district and occupied since 1934 as a stable for more than five (5) horses; and

WHEREAS, the applicant contends that this building is, and continuously has been, located in a business use district. The Building Department records fail to show any permit under which this building was erected. The first appearance of the building on any atlas is on plate 105, Volume 3 of the 1930 Sanborn Atlas, which part of the building, a small portion, was added subsequently. Certificate of Occupancy 2289-1934 was issued on January 22, 1934, apparently on the basis that this was a building devoted to a non-conforming use and erected prior to 1916. As the building was unlawfully erected, without a permit, and has at all times been used contrary to the building zone resolution, Certificate of Occupancy 2289-1934 should be revoked; and

WHEREAS, this matter was laid over after public hearing for consideration and report by a committee of this board; and

WHEREAS, the report of the committee of the board, read at the hearing is as follows:

REPORT OF COMMITTEE

December 5, 1938

Re: Cal. No. 850-38-A, N.S. Walling street, 100 ft. north of Northern boulevard;

Cal. No. 851-38-A, E. S. Northern boulevard, 92 ft. north of Walling street;

Cal. No. 852-38-A, N.S. Walling street, 100 ft. east of Northern boulevard;

Cal. No. 853-38-A, N.W. cor. Walnut street and 71st (Continental) avenue;

Cal. No. 855-38-A, N.S. Walling street, 150 ft. East of Northern boulevard;

Cal. No. 856-38-A, N.S. Walling street, 200 ft. east of Northern boulevard, Forest Hills, Queens.

These six applications are made by an adjacent property owner for revocation of Certificate of Occupancy issued by the Commissioner of Buildings in 1934 permitting each of the buildings involved to be occupied as a "riding stable" without limitation as to number of riding horses to be stabled. At the time the zoning resolution was adopted, the area in which these building are located was placed in a business use zone. The

area was still in a business use zone at the time of the issuance of the certificates of occupancy on January 22, 1934. The area is now so zoned except that a portion of the plot occupied by the stable covered by application No. 853-38-A was changed to residence use on October 5, 1934.

The Commissioner of Buildings apparently issued these certificates of occupancy after receiving affidavits of several persons who claimed knowledge of the buildings and uses before and since the adoption of the zoning resolution. His letter of August 31, 1934, indicates that he relied on their statements and also his interpretation of an atlas published in 1915.

From the testimony adduced at the hearing and examination of the records of the Department of Housing and Buildings as well as the complete detailed report of the Commissioner of Investigation, it appears that for some time prior to and after the adoption of the zoning resolution, the area in which these buildings are located comprised part of a farm consisting of some fourteen acres operated by Hirsch Goldberg and perhaps another and who kept cows and conducted a milk business. A part of the premises was also apparently used as a summer garden and dance hall as indicated by the records covering the riding stable under application 851-38-A. These buildings have all been used as cow stables, wagon sheds or summer gardens, and other adjacent buildings not included in these applications have been used for horse stables, milk houses, blacksmith shop, etc. The record indicates that several of the buildings were not even in existence on July 25, 1916, and that extensions have been added and uses changed since that date.

The Committee agrees with the Commissioner of Investigation and finds that the certificates of occupancy should not have been issued under the zoning resolution for stables for more than five horses each.

As accessory to a farm, these buildings were not non-conforming in a business district or even in a residence district. Upon the discontinuance of the farm and the elimination of the stabling of cows, the buildings could be occupied only for such uses as permitted in the respective districts. Any buildings that existed prior to July 25, 1916, could not be occupied after 1916 as stables for more than five horses as a matter of right under Section 6, since the uses prior to 1916 were not uses prohibited in a business district by paragraph A of Section 4, while a stable for more than five horses is a use prohibited by paragraph A of Section 4.

The committee recommends that the Certificates of Occupancy covering the premises under appeal, as issued January 22, 1934, be revoked. Action by the board as herein recommended should not be considered as prejudicial to the right of the owner to seek a zoning variance according to the usual procedure.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

Resolved, that the appeal be and it hereby is *granted,* and that Certificate of Occupancy number 2289 of 1934 be and it hereby is *revoked.*

851-38-A.

APPLICANT—James Haughey, neighboring property owner.

OWNER OF PREMISES—Henrietta Coopersmith.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re revocation of Certificate of Occupancy No. 2290-34 for stable for more than five (5) horses (Riding Academy).

PREMISES AFFECTED—East side of Northern boulevard, 92 ft. north of Walling street (Block No. 3895, Lot No. 29), Forest Hills, Borough of Queens.

APPEARANCES—
For Applicant: Victor D. Borst, Jr.
For Owner: Jacob Beller.
For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted and Certificate of Occupancy revoked.

THE VOTE TO GRANT AND REVOKE CERTIFICATE OF OCCUPANCY—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(851-38-A)

WHEREAS, James Haughey, neighboring property owner, filed on October 6, 1938, an application for revocation of Certificate of Occupancy No. 2290-34, affecting premises east side of Northern boulevard, 92 ft. north of Walling street (Block No. 3895, Lot No. 29), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated September 19, 1938, reads:

"Regarding request made for revocation of Certificate of Occupancy issued for the following premises:

Certificate of Occupancy No. 2290 of 1934 issued for premises situated on the east side of Northern boulevard, 92 ft. north of Walling street—Oak Riding Academy

be advised that I have no authority to revoke this Certificate and must therefore advise you that any request for its revocation should be made to the Board of Standards and Appeals, Municipal Building, Center and Chambers Streets, N. Y. C., which board has such authority, if it so sees fit."

and

WHEREAS, the building is one story (12 ft.) in height, 22 ft. by 100 ft. in area, of frame construction, on a plot 25 ft. by 100 ft. in area, in a business use district; erected prior to 1910 and occupied since 1934 as a stable for more than five horses; and

WHEREAS, the applicant contends that this building is and continuously has been located in a business use district; the records of the Building Department do not indicate when the building was erected, but alteration permit 280-1910 called for the erection of a 25 ft. by 22 ft. extension to a 25 ft. by 70 ft. building to be used before and after the alteration as a "Summer garden". The 1914 Sanborn Atlas, Volume 3, plate 103, shows the building marked "dance hall". The Hyde Atlas, Volume 2a, plate 27, as published in 1915 and also as corrected to 1919, shows the building, but without any designation. It is therefore clear that the use of the building before and after July 25, 1916, was a conforming one in a business use district. Certificate of Occupancy 2290-1934 was issued January 22, 1934, apparently on the basis that this was a building devoted to a non-conforming use prior to 1916. The issuance of this certificate was illegal and the proposed change definitely contrary to section 6 of the building zone resolution. Only a non-conforming existing use prior to July 25, 1916, may be changed to another non-conforming use. The use as dance hall or summer garden was conforming in business use district and could not legally be changed to a use prohibited by Article 2, Section 4a, Sub-division 36 of the building zone resolution; and

WHEREAS, this matter was laid over after public hearing for consideration and report by a committee of the board; and

WHEREAS, the report of the committee, affecting these premises, was read at the hearing and is part of the record of Cal. No. 850-38-A and is hereby made part of the record of this appeal; and

WHEREAS, the report of the committee of the board recommended that this appeal be granted and that the Certificate of Occupancy be revoked.

Resolved, that the appeal be and it hereby is *granted* and that Certificate of Occupancy, No 2290 of 1934, be and it hereby is *revoked*.

852-38-A.

APPLICANT—James Haughey, neighboring property owner.

OWNER OF PREMISES—Henrietta Coopersmith.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re revocation of Certificate of Occupancy No. 2288-34 for stable for more than five (5) horses (Riding Academy).

PREMISES AFFECTED—North side of Walling street, 100 ft. east of Northern boulevard (northwest side of Walling street and Wanda place); (Block No. 3895, front of Lot No. 1), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Victor D. Borst, Jr.

For Owner: Jacob Beller.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted and Certificate of Occupancy revoked.

THE VOTE TO GRANT AND REVOKE CERTIFICATE OF OCCUPANCY—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(852-38-A)

WHEREAS, James Haughey, neighboring property owner, filed on October 6, 1938, an application for revocation of Certificate of Occupancy No. 2288-34, affecting premises north side of Walling street, 100 ft. east of Northern boulevard (northwest side of Walling street and Wanda place); (Block No. 3895, front of Lot No. 1), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated September 19, 1938, reads:

"Regarding request made for revocation of Certificate of Occupancy issued for the following premises;

Certificate of Occupancy No. 2288 of 1934 issued for premises situated on the north side of Walling street, 100 ft. east of Northern boulevard—Rego Riding Academy (N/W/S Walling street and Wanda place).

Be advised that I have no authority to revoke this Certificate and must therefore advise you that any request for its revocation should be made to the Board of Standards and Appeals, Municipal Building, Centre and Chambers street, N. Y. C., which board has such authority, if it so sees fit."

and

WHEREAS, the building is one story (11 ft.) in height, 25 ft. by 32 ft. in area on a lot 50 by 156.11 ft. irregular, in area; of nonfireproof construction; located in a business use district; erected under Permit No. 4026-16 (approved December 23, 1916) and occupied since 1934 as a stable for more than five (5) horses; and

WHEREAS, the applicant contends that this building is, and continuously has been, in a business use district; that the building was erected under permit NB 4026-1916, filed November 20, 1916, and approved December 23, 1916; that it is of cement block construction, with a small extension subsequently added on the east; that the use of the building stated in permit 4026-1916 was "Closed shed for wagons"; that Certificate of Occupancy 2288-1934 was issued January 22, 1934, permitting the use of the building as a riding stable; that the issuance of this certificate was illegal and the proposed change definitely contrary to section 6 of the building zone resolution; that only a non-conforming use existing prior to July 25, 1916, may be changed to another non-conforming use in a business use district; that the use as wagon storage shed was conforming in a business use district and could not legally be changed to a use prohibited by article 2, section 4a, subdivision 36 of the building zone resolution and that Certificate of Occupancy 2288-1934 should therefore be revoked; and

WHEREAS, this matter was laid over after public hearing, for consideration and report by a committee of the board; and

WHEREAS, the report of the committee, affecting these premises, was read at the hearing and is part of the record of Cal. No. 850-38-a and is hereby made part of the record of this appeal; and

WHEREAS, the report of the committee of the board recommended that this appeal be granted and that the Certificate of Occupancy be revoked.

Resolved, that the appeal be and it hereby is *granted* and that Certificate of Occupancy No. 2288 of 1934 be and it hereby is *revoked*.

853-38-A.

APPLICANT—James Haughey, neighboring property owner.

OWNER OF PREMISES—Henrietta Coopersmith.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re revocation of Certificate of Occupancy No. 2284-34 for stable for more than five (5) horses (Riding Academy).

PREMISES AFFECTED—Northwest corner of Walnut street and 71st (Continental) avenue (Block No. 2805, Lot No. 1), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Victor D. Borst, Jr.

For Owner: Jacob Beller.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted and Certificate of Occupancy revoked.

THE VOTE TO GRANT AND REVOKE CERTIFICATE OF OCCUPANCY—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(853-38-A)

WHEREAS, James Haughey, neighboring property owner, filed on October 6, 1938, an application for revocation of Certificate of Occupancy No. 2284-34, affecting premises north west corner of Walnut street and 71st (Continental) avenue (Block No. 2805, Lot No. 1), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated September 19, 1938, reads:

"Regarding request made for revocation of Certificate of Occupancy issued for the following premises:

"Certificate of Occupancy No. 2284 of 1934 issued for premises situated at the northwest corner of Continental avenue and Walnut street—Forest Hills Riding and Driving Club—

"Please be advised that I have no authority to revoke this Certificate and must therefore advise you that any request for its revocation should be made to the Board of Standards and Appeals, Municipal Building, Center and Chambers streets, N. Y. C., which board has such authority, if it so sees fit."

and

WHEREAS, the building is one and two stories (11 ft. and 21 ft.) in height, 140 ft. by 53 ft. in area at first floor,

40 ft. by 53 ft. in area at 2nd floor level, on a plot 191 ft. 8 in. by 100 ft. in area; of frame construction; located in a residence use district; erected under N.B. Permit 383-16 (approved November 25, 1916) and occupied since 1934 as a stable for 21 horses, riding ring and hay loft; and

WHEREAS, the applicant contends that the building is and has been continuously in a business use district; that the building is being used as a stable for more than 5 horses, with the westerly portion used as a riding ring accessory to and connected with the stable; that the building was erected under permit NB 383-1916, filed November 4, 1916, and approved November 25, 1916; that this permit states the occupancy of the building to be "cow stable"; that the application contains the notation "Replace buildings destroyed by fire." Certificate of Occupancy 2284-1934 was issued on January 22, 1934, permitting the change of occupancy from cow stable to "Riding stable" for more than 5 horses; that the issuance of this Certificate was unlawful, in that the proposed change was definitely contrary to section 6 of the building zone resolution; that only a non-conforming use existing prior to July 25, 1916, may be changed to another non-conforming use in a business district; that here a conforming use, a cow stable, was changed to a non-conforming use, a horse stable; that it should be noted that Article 2, section 4a, sub-division 36 of the building zone resolution, prohibits a stable for more than 5 horses in a business use district; that the prohibition is specifically against horses; it cannot be extended by implication to cows; that the conversion from a cow stable to a horse stable was contrary to section 6 of the building zone resolution and illegal, and that Certificate of Occupancy 2284-1934, should therefore be revoked; and

WHEREAS, this matter was laid over after public hearing, for consideration and report by a committee of the board; and

WHEREAS, the report of the committee, affecting these premises, was read at the hearing and is part of the record of Cal. No. 850-38-A and is hereby made part of the record of this appeal; and

WHEREAS, the report of the committee of the board recommended that this appeal be granted and that the Certificate of Occupancy be revoked.

Resolved, that the appeal be and it hereby is *granted* and that Certificate of Occupancy No. 2284 of 1934 be and it hereby is *revoked*.

854-38-A.

APPLICANT—James Haughey, neighboring property owner.

OWNERS OF PREMISES—Luigi Clinco and Amalia Clinco.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re revocation of Certificate of Occupancy No. 1215-23 for fur dressing factory.

PREMISES AFFECTED—90-20 70th drive (Wanda place), east side 353 ft. 5 in. south of Metropolitan avenue (east side, Wanda place, 350 ft. south of Metropolitan avenue); (Block No. 3896, Lot No. 56), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Victor D. Borst, Jr.

For Owner: Henry O. Dobson.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted and Certificate of Occupancy revoked.

THE VOTE TO GRANT AND REVOKE CERTIFICATE OF OCCUPANCY—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(854-38-A)

WHEREAS, James Haughey, neighboring property owner, filed on October 6, 1938, an application for revocation of Certificate of Occupancy No. 1215-23, affecting premises 90-20 70th drive (Wanda place), east side, 353 ft. 5 in. south of Metropolitan avenue (east side, Wanda place, 350 ft. south of Metropolitan avenue); (Block No. 3896, Lot No. 56), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated September 19, 1938, reads:

> "Regarding request made for revocation of Certificate of Occupancy issued for the following premises: Certificate of Occupancy No. 1215 of 1923 issued for premises situated on the east side of Wanda place, 353 ft. south of Metropolitan avenue—now used for drying and dressing furs (east side Wanda place, 350 ft. south of Metropolitan avenue), please be advised that I have no authority to revoke this certificate and must therefore advise you that any request for its revocation should be made to the Board of Standards and Appeals, Municipal Building, Center and Chambers streets, N. Y. C., which board has such authority, if it so sees fit."

and

WHEREAS, the building is two stories (23 ft.) in height, 54 ft. by 128 ft. in area at 1st story, 54 ft. by 67 ft. 6 in. in area at 2nd story; of non-fireproof construction, on a plot 100 ft. by 200 ft. in area, irregular; in a residence use district; erected about 1915 and occupied since 1934 as a fur dressing factory; and

WHEREAS, the applicant contends that the building is and continuously has been located in a residence use district; that the building was erected about 1915, although the first record in the Building Department is alteration application 3516-1919, to alter a cow stable and hay loft to a fur dressing factory; that this application was disapproved with the following objection: "Changing of a cow stable into a factory for drying and cleaning of furs is prohibited in a residence use district by the Zone Resolution."; that an appeal was taken to the Board of Standards and Appeals, under Calendar 971-19-BZ, and the appeal was denied; that Certificate of Occupancy 1215-1923 was issued by the Department of Buildings on August 17, 1923; that a search of the records of the Department fails to indicate any application or permit on which this certificate was issued; that the issuance of the certificate was illegal, as the conversion of a building in a residence use district from a use permitted in a business use district (cow stable and hay loft), to a use prohibited in a business use district (fur dressing and drying factory), is contrary to section 6 of the building zone resolution; that the issuance of a certificate of occupancy by the Building Department after the Board of Standards and Appeals had denied an appeal to permit such use, is illegal, as the the action of the board is binding upon and may not be varied by the administrative official, and that Certificate of Occupancy 1215-1923 should therefore be revoked; and

WHEREAS, this matter was laid over after public hearing, for consideration and report by a committee of the board: and

WHEREAS, the report of the committee of the board, read at the hearing, is as follows:

REPORT OF COMMITTEE

December 5, 1938.

Re: Cal. No. 854-38-A.

Premises: 90-20 (Wanda place) 70th drive, 353 feet 5 inches south of Metropolitan avenue, Forest Hills, Queens.

This application, brought by an adjacent property owner, is for revocation of a certificate of occupancy, No. 1215, issued in 1923 by the then superintendent of buildings, permitting a two-story brick building classified as a cow barn to be used for fur dressing.

The building is located on the east side of 70th drive,

formerly Wanda place, on a lot extending through to Continental avenue. As inspected by the Department of Investigation and a committee of the board, the building is being occupied for a fur dressing factory. The manufacturing operations are mainly on the first floor and the second floor is used for storage in connection therewith. The certificate of occupancy permits fur dressing on the first floor and is silent as to use of the second floor.

Records of the Department of Housing and Buildings do not disclose the date of erection, but records that can be relied upon, indicate that the building substantially in its present form existed since 1915 as a cow stable and thus prior to the adoption of the zoning resolution on July 25, 1916. On that date the building was placed in a residential use zone and there has been no change in the use zoning since that date.

In 1919 an application was made to the superintendent of buildings, slip application No. 3516, to alter the interior of the building and change occupancy from "cow stable and hay loft" to "factory for cleaning and drying of furs." This application was denied for the reason given that "the change of a cow stable into a factory for drying and cleaning of furs is prohibited in a residence district by zone resolution." Thereafter, On December 18, 1919, an application was filed with the Board of Appeals, Cal. No. 971 of 19-BZ, for a zoning variance to permit the proposed change of use. After public hearing on January 13, 1920, the board denied the application and that action of the board was not subjected to court review. Under the Greater New York Charter the action of the board in denying the use variance was binding on the Superintendent of Buildings. Issuance (by the Superintendent of Buildings) of the certificate of occupancy in 1923 for the use denied by the board was illegal.

The records are devoid of any indication of a basis upon which the Superintendent of Buildings issued the Certificate of Occupancy in 1923. It might be assumed that the same individual who was Superintendent of Buildings both in 1919 and 1923 reconsidered his former decision and granted the use under section 6 of the zoning resolution as a matter of right. Section 6, as in force at that time, provided no basis for such action. As the use was definitely changed, a justification therefor, if any, would have to be found in paragraph B of section 6. No one of the four permissive changes thereunder applies to the condition here, where a use as a cow stable existing prior to 1916 and not a use prohibited by paragraph A of Section 4 (28) was changed to a use prohibited by paragraph A of Section 4 (28).

It should also be noted that the continued use since the certificate of occupancy was illegally issued in 1923 has not remained unquestioned, as evidenced by the request of the Commissioner of Buildings on June 30, 1933, to the then owners to secure a certificate of occupancy. This letter and the reply thereto by the attorneys for the owner indicate that neither the Commissioner of Buildings nor the owner was aware that a certificate of occupancy had ever been issued.

In the opinion of the committee the certificate of occupancy was illegally issued and should be revoked. No vested rights can accrue from an illegally issued permit or certificate of occupancy.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

Resolved, that the appeal be and it hereby is *granted;* and that Certificate of Occupancy, Number 1215 of 1923 be and it hereby is *revoked.*

855-38-A.

APPLICANT—James Haughey, neighboring property owner.

OWNER OF PREMISES—Henrietta Coopersmith.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re revocation of Certificate of Occupancy No. 2286-34 for stable for more than five (5) horses (Riding Academy).

PREMISES AFFECTED—North side of Walling street, 150 ft. east of Northern boulevard (north side of Walling street, 180 ft. east of Westerly lot line); (Block No. 3895, Lot No. 34 and part of Lot No. 35), Forest Hills, Borough of Queens.

APPEARANCES—
For Applicant: Victor D. Borst, Jr.
For Owner: Jacob Beller.
For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted and Certificate of Occupancy revoked.

THE VOTE TO GRANT AND REVOKE CERTIFICATE OF OCCUPANCY—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(855-38-A)

WHEREAS, James Haughey, neighboring property owner, filed on October 6, 1938, an application for revocation of Certificate of Occupancy No. 2286-34, affecting premises north side of Walling street, 150 ft. east of Northern boulevard (Walling street, north side 180 ft. east of westerly lot line); (Block No. 3895, Lot No. 34 and part of Lot No. 35), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, dated September 19, 1938, reads:

"Regarding request made for revocation of Certificate of Occupancy issued for the following premises:

Certificate of Occupancy No. 2286 of 1934 issued for premises situated on the north side of Walling street, 100 ft. east of Northern boulevard.—Sunset Riding Academy (N/S Walling street, 180 ft. east of westerly lot line).

Be advised that I have no authority to revoke this certificate and must therefore advise you that any request for its revocation should be made to the Board of Standards and Appeals, Municipal Building, Centre and Chambers streets, N. Y. C., which board has such authority, if it so sees fit."

and

WHEREAS, the building is one story (12 ft.) in height, 36 ft. by 36 ft. irregular, in area, on a plot 107.38 ft. by 100 ft., irregular, in area; of frame construction; located in a business use district; erected after 1930 and occupied since 1934 as a stable for more than five (5) horses; and

WHEREAS, the applicant contends that the building is and has been continuously in a business use district; that the records of the building department fail to indicate when the building was erected; that the first appearance of this on either the Hyde or Sanborn Atlas is on plate 105, Vol. 3 of the 1930 Sanborn Atlas, which shows the easterly portion of the building, marked "storage"; that the westerly portion has been added since then, as it appears on a subsequent paster; that Certificate of Occupancy 2286-34 was issued on January 22, 1934, apparently on the basis that this was a building devoted to a non-conforming use and erected prior to 1916; that as the building was unlawfully erected, without a permit, and has at all times been used contrary to the building zone resolution, Certificate of Occupancy 2286-34 should be revoked; and

WHEREAS, this matter was laid over after public hear-

ing, for consideration and report by a committee of the board; and

WHEREAS, the report of the committee, affecting these premises, was read at the hearing and is part of the record of Cal. No. 850-38-A and is hereby made part of the record of this appeal; and

WHEREAS, the report of the committee of the board recommended that this appeal be granted and that the Certificate of Occupancy be revoked.

Resolved, that the appeal be and it hereby is *granted* and that Certificate of Occupancy No. 2286 of 1934 be and it hereby is *revoked.*

856-38-A.

APPLICANT—James Haughey, neighboring property owner.

OWNER OF PREMISES—Henrietta Coopersmith.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re revocation of Certificate of Occupancy No. 2287-34 for stable for more than five (5) horses (Riding Academy).

PREMISES AFFECTED—North side of Walling street, 200 ft. east of Northern boulevard (northwest corner of Walling street and Wanda place); (Block No. 3895, Lot No. 35), Forest Hills, Borough of Queens.

APPEARANCES—

For Applicant: Victor D. Borst, Jr.

For Owner: Jacob Beller.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted and Certificate of Occupancy revoked.

THE VOTE TO GRANT AND REVOKE CERTIFICATE OF OCCUPANCY—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(856-38-A)

WHEREAS, James Haughey, neighboring property owner, filed on October 6, 1938, an application for revocation of Certificate of Occupancy No. 2287-34, affecting premises north side of Walling street, 200 ft. east of Northern boulevard (northwest corner of Walling street and Wanda place); (Block No. 3895, Lot No. 35); Forest Hills, Borough of Queens; and

WHEREAS, the decision of the borough superintendent dated September 19, 1938, reads:

"Regarding request made for revocation of Certificate of Occupancy issued for the following premises:

Certificate of Occupancy No. 2287 of 1934, issued for premises situated on the north side of Walling street, about 200 ft. east of Northern boulevard, Green Barn Riding Academy (N/W/C Walling street and Wanda place),

Be advised that I have no authority to revoke this Certificate and must therefore advise you that any request for its revocation should be made to the Board of Standards and Appeals, Municipal Building, Center and Chambers streets, N. Y. C., which board has such authority, if it so sees fit."

and

WHEREAS, the building is one story 12 ft. in height, 33 ft. by 52 ft. in area, of frame construction, on a lot 85.25 ft. by 100 ft. irregular in area; located in a business use district; erected since 1924 and occupied since 1934 as a stable for more than five horses; and

WHEREAS, the applicant contends that this building is and continuously has been in a business use district; that it is on the site of a 2-story building erected in 1909, as a cow stable and hay mow under permit NB 163-09, which cow stable was destroyed by fire November 1, 1924; that the building appears on the Sanborn Atlas of 1930 (Volume 3, plate 105) as two separate buildings, subsequently joined together into one building; Certificate of Occupancy 2287-34 was issued on January 22, 1934, apparently on the basis that this was a building devoted to a non-conforming use and erected prior to 1916; that as this building was unlawfully erected and extended without a permit and has at all times been used contrary to the Building Zone Resolution, Certificate of Occupancy 2287-34 should be revoked; and

WHEREAS, this matter was laid over after public hearing, for consideration and report by a committee of the board; and

WHEREAS, the report of the committee, affecting these premises, was read at the hearing and is part of the record of Cal. No. 850-38-A and is hereby made part of the record in this appeal; and

WHEREAS, the report of the committee of the board recommended that this appeal be granted and that the Certificate of Occupancy be revoked.

Resolved, that the appeal be and it hereby is *granted* and that Certificate of Occupancy Number 2287 of 1934 be and it hereby is *revoked.*

981-38-A.

APPLICANT—Arthur S. Hodgkiss, for Department of Parks, City of New York.

OWNER OF PREMISES—Golden City Park Corporation.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings re revocation of Permit No. 9905-38.

PREMISES AFFECTED—2130-2140 Rockaway parkway, southeast corner of Schenck avenue (Block No. 8331, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur S. Hodgkiss.

For Owner: Alfred A. Lama.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted; certificate of occupancy revoked.

THE VOTE TO GRANT AND REVOKE CERTIFICATE OF OCCUPANCY—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(981-38-A)

WHEREAS, Arthur S. Hodgkiss, for the Department of Parks, City of New York, filed on November 3, 1938, an appeal from a decision of the borough superintendent, Department of Housing and Buildings, wherein the borough superintendent refused to revoke Building Permit No. 9905-38, affecting premises 2130-2140 Rockaway parkway, southeast corner of Schenck avenue (Block No. 8331, Lot No. 1), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent, dated November 1, 1938, reads:

"I am in receipt of your letter of October 31, 1938, urging me to revoke the above permit in view of a contemplated change of zone to residence use. This permit for a business structure was issued on October 11, 1938, on which day the premises was zoned for business use, and I, therefore, cannot comply with your request."

and

WHEREAS, the premises consists of a plot 100 ft. by 392.85 ft. in area, on which it is proposed to erect a frame structure, 1½ stories (31 ft.) in height, 71 ft. by 71 ft. in area, to be occupied as a carousel; the plot is located in a business use district and was the subject of a change to resi-

dence use, "F" area, 1½ times height district, by the City Planning Commission on October 26, 1938; and

WHEREAS, the applicant contends that the City Planning Commission adopted an amendment to the Use District Map on October 26, 1938, placing this area in a Residential District; that this amendment was adopted with the recommendation of a representative of the residents of Canarsie Beach, who appeared at the meeting in favor of the amendment, and over the opposition of an attorney for the Golden City Park Corporation; that although the change in zoning had not been acted upon by the City Planning Commission on October 11, 1938, the date of issuance of the permit, it was generally known at that time that such re-zoning was to be considered and the removal of the carousel by the Golden City Park Corporation to its new location was an attempt to evade the proposed zoning regulations; that although the permit was issued on October 11, 1938, practically all of the work done in moving the carousel to its new location was done illegally prior to October 11, 1938; that this further supports contention that the Golden City Park Corporation was attempting to evade the proposed change in the zoning regulations of which the Golden City Park Corporation had knowledge; that the land of the Golden City Park Corporation was purchased by the City for the right-of-way of the new Shore parkway for a public park; that this purchase was made at private sale and an area greater than actually needed for the parkway was purchased to insure the removal of the Golden City Park Corporation and its amusement devices from the land bounding the parkway; that it was felt by the officials of the Park Department that the location of an amusement park of a calibre heretofore operated by the Golden City Amusement Park would be a detriment to the parkway; that it would also defeat one of the purposes of the parkway which is to improve the residential characteristics of the land adjacent to it; and

WHEREAS, this premises was the subject of an inspection by a committee of the board, report of which inspection was read at the hearing, and which report follows:

REPORT OF COMMITTEE

December 12, 1938.

Re.: Cal. No. 981-38-A.
2130-2140 Rockaway parkway, corner Schenck avenue, Borough of Brooklyn.

This is an appeal filed by the Department of Parks from the refusal of the borough superintendent of buildings to revoke Permit No. 9905, issued October 11, 1938, to move a frame structure housing a carousel from a plot in a business use district to a new location within a business use district.

This building was in Golden City Amusement Park, the land of which has been acquired by the City for the Circumferential Highway. The building is frame construction about 72 ft. by 72 ft. and one high story in height. The owner contends that a central column, on which the carousel mechanism revolves, is the main support of the building and that the building is merely a shelter. Upon inspection, the board found otherwise. The frame building has been placed on posts. No central column is yet installed nor is the carousel mechanism other than some concrete footings to receive it. As the building exists, it could readily be adapted for a number of uses and cannot be classed of itself as an amusement device. Under Article V, Section C26-246.0 of the Building Code, the building was placed within the fire limits. Section C26-252.0 prohibits a frame structure being moved within the fire limits. Section C26-247.0 prohibits the construction of frame structures within the fire limits except as otherwise specifically provided. Section C26-543.0 cannot be relied upon. It permits the erection of temporary structures "of unusual character" and then only when the superintendent has approved the plans and the general provisions of the Code do not directly apply.

A petition was filed with the City Planning Commission for a change of zone on June 9, 1938. A public hearing was held on October 19, 1938. On October 26th, the City Planning Commission changed the zone from business to residence and notice was filed with the secretary of the Board of Estimate on October 28, and by action of the Board of Estimate the change of zone was considered on November 3 and approved November 17. Notices of hearing and action of the Planning Commission and the Board of Estimate appeared in the *City Record* from October 7 until the change was finally approved.

The permit was issued on October 11, 1938, and according to report from the borough superintendent, the building was moved on to the new footings in the new location on November 1, 1938, several days after the change of zone by the City Planning Commission. Other work continued up to about November 10th, and inspections on November 14th, 16th and 18th show that the work had stopped. This appeal, filed with the board November 2, 1938, with due notice to the borough superintendent of buildings, acted as a stay of all proceedings.

In the opinion of the committee it was encumbent on the borough superintendent of buildings to keep posted as to this zoning change through the legal notices in the *City Record*. Since no work had been done prior to the zoning change by the City Planning Commission, notice to stop work should have been served followed by a rescindment of the permit upon approval of the zoning change by the Board of Estimate on November 17th.

The committee recommends that the appeal be granted and the permit revoked.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

Resolved, that the decision of the borough superintendent be and it hereby is *reversed*, and the appeal be and it hereby is *granted* revoking building permit 9905-38.

1017-38-A.

APPLICANT—Maurice Sobel, for Paramount Wineries, Inc., lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—4750 Third avenue and 441 East 189th street, northeast corner (Block No. 3033, part of Lot No. 53), Borough of The Bronx.

APPEARANCES—
For Applicant: Maurice Sobel.
For Administration: M. C. E. Theide, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1017-38-A)

WHEREAS, Maurice Sobel, for Paramount Wineries, Inc., lessee, filed on November 10, 1938, an appeal from a decision of the borough superintendent, Department of Housing and Buildings, affecting premises 4750 Third avenue and 441 East 189th street, northeast corner (Block No. 3033, part of Lot No. 53), Borough of The Bronx; and

WHEREAS, the decision of the borough superintendent, dated October 27, 1938, in acting on NB Application No. 1213-38, reads:

"1. Cellar stairs to be inclosed with fireproof partitions and fireproof self-closing door. G.O. 112-38."

and

WHEREAS, the building is 5 stories (60 ft.) in height, 85 ft. by 95 ft. in area, of fireproof construction; erected in 1928 and located in a business use district; occupied: cellar—boiler room and wine storage, 10 persons; 1st floor—stores, 35 persons; 2nd floor—offices and factory, 40 persons; 3rd, 4th and 5th floors—storage, no persons; for which Certificate of Occupancy No. 853-29 was issued June 7, 1929, for a five-story warehouse; and

WHEREAS, the applicant contends that the decision is based on the Building Department's General Order No. 112-38, which provides that all stairs to cellars in business buildings be enclosed; that it is proposed to install an iron stair from the 1st floor to the cellar with an iron door at 1st floor level; that there is a fireproof, enclosed stairway from the cellar which leads to 1st floor and thence to the street; that it would be quite a hardship and a practical difficulty if the owner is required to enclose proposed stairs; and that the stairway only connected lessee's cellar space to his 1st-story space, both of which spaces are enclosed with fireproof partitions.

Resolved, that the decision of the borough superintendent, in acting on N. B. Application No. 1213-38, be and it hereby is *modified,* and that the appeal be and it hereby is *granted,* permitting the proposed opening from the 1st floor space to the cellar space, occupied by this applicant, *on condition* that the stairway to cellar shall be constructed of steel and shall be protected with a steel trap door, which shall normally remain closed; that the space on the 1st floor shall be separated from all other parts of the 1st floor by fireproof enclosing partitions not less than 4 in. in thickness; that the space in the cellar along the Third avenue front of the building shall be separated from the balance of the cellar, by walls of fireproof construction and that access to a legal stairway shall be provided from such space to the street.

1057-38-A.

APPLICANT—27 Warren Street Company, Incorporated, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—23 Murray street, north side, 75 ft. east of Church street and 27 Warren street, south side, 75.5 ft. east of Church street (Block No. 134, Lot No. 8), Borough of Manhattan.

APPEARANCES—

For Applicant: Elias A. Cohen and W. M. Bick.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1057-38-A)

WHEREAS, 27 Warren Street Company, Incorporated, owner, filed November 23, 1938, an appeal from an order of the fire commissioner, affecting premises 23 Murray street, north side, 75 ft. east of Church street and 27 Warren street, south side, 75.5 ft. east of Church street (Block No. 134, Lot No. 8), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, No. 2735-LF, dated October 24, 1938, reads:

"YOU ARE HEREBY ORDERED AND REQUIRED, within 30 days from the date of the service of this order, to:

1. Install an approved wet automatic sprinkler system in cellar and sub-cellar having at least one source of water supply arranged and equipped as per Article 16, Chapter 26, Administrative Code."

WHEREAS, the building is 5 stories (57 ft.) in height, 24.7 ft. by 176 ft. in area, of non-fireproof construction, equipped with a standpipe system, erected prior to 1880 and located in an unrestricted use district and occupied: Cellar—handling, packing and shipping sponges—5 persons; sub-cellar—south part only used for storage of sponge—0 persons; 1st floor—sponge and tool salesroom—10 persons; 2nd floor—typewriters and supplies and stationery—7 persons; 3rd floor—engraving—8 persons; 4th floor—stationery and printing—6 persons; 5th floor—hardware and electrical goods and printing—9 persons; for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that only about 40 per cent of the sub-cellar is used and the use of such part is for storage of sponges which are not inflammable; that no person is employed in the sub-cellar; that because of its non-inflammability, the insurance rate on sponge is extremely low; that the cellar is used for handling, packing and shipping of sponges; that the sub-cellar and cellar are equipped with standpipes and perforated pipe systems, which are adequate; that there is a sidewalk elevator leading directly to the only part of the sub-cellar used rendering the sub-cellar accessible to streams of water and creating a mean of ingress to the sub-cellar from outside the building.

Resolved, that the order of the fire commissioner, No. 2735-LF be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the perforated sprinkler pipe in the cellar and sub-cellar shall be put in good condition throughout, to meet the approval of the fire commissioner.

1065-38-A.

APPLICANT—Sidney L. Strauss, for Wadsworth and Company, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—39 Union Square west, west side, 31 ft. 6 in. south of East 17th street (Block No. 844, Lot No. 25), Borough of Manhattan.

APPEARANCES—

For Applicant: Sidney L. Strauss.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1065-38-A)

WHEREAS, Sidney L. Strauss, for Wadsworth & Company, owner, filed November 25, 1938, an appeal from an order of the fire commissioner affecting premises 39 Union Square west, west side, 31 ft. 6 in. south of East 17th street (Block No. 844, Lot No. 25), Borough of Manhattan; and

WHEREAS, the order No. 2741-LF, issued by the fire commissioner and dated October 25, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar having at least one source of water supply arranged and equipped as per Article 16, Chapter 26, Administrative Code.

Plans to be filed with and approved by the Department of Housing and Buildings before work on such system is commenced. C19-161.0 Administrative Code."

and

WHEREAS, the building is 5 stories and cellar (68 ft. 1 in.), in height, 28 ft. 6 in. by 120 ft. in area, at 1st floor and 28 ft. 6 in. by 110 ft. in area above, of non-fireproof construction, erected 1869, located in a business use district and occupied as follows: Cellar—storage, 8 persons; 1st floor—store, 5 persons; 2nd floor—school,

30 persons; 3rd floor—office, 9 persons; 4th floor—factory and office, 15 persons; 5th floor—factory and office, 6 persons; for which applicant contends that certificate of occupancy has been issued; and

WHEREAS, applicant contends there is no heating plant in this building, inasmuch as the building is supplied from the adjoining building to the north, 41 Union Square west and 22-26 East 17th street, which buildings are under the same ownership as the premises affected.

Resolved, that Order No. 2741-LF of the fire commissioner be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar, including sidewalk vault but excluding the elevator machinery room, a non-automatic sprinkler system; that an automatic or other type of alarm shall not be required in connection with such system; that all pipe fittings shall be of malleable iron and the system otherwise installed in accordance with the requirements of chapter 26 article 16 of the administrative code, except the sprinkler heads may be spaced 25% in excess of the requirements and shall be supplied from street front by a pipe riser equal in diameter to the number of heads to be supplied, but shall not be less than 3 inches or more than 4 inches; that the street pipe shall be fitted with 3-inch, single swivel pumper connection without clapper valves, as approved by the Board of Standards and Appeals for flush-type siamese; that the pumper connection shall be fitted with an approved cap or plug and shall have an approved sign indicating the type of system and portions of premises protected, which shall be secured to wall or pumper connection and that the signs, plugs and caps shall be painted aluminum.

1066-38-A.

APPLICANT—Roth Developments, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—48-74 and 48-78 187th street, 186-21 Underhill avenue, northwest corner and west side of 187th street, 96.23 ft. and 136.23 ft. north of Underhill avenue (Block No. 10115A, part of Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Leonard Lazarus and A. A. Roth.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1066-38-A)

WHEREAS, Roth Developments, Incorporated, owner, filed on November 26, 1938, an appeal from decisions of the Borough Superintendent, Department of Housing and Buildings, affecting premises 48-74 and 48-78 187th street, 186-21 Underhill avenue, northwest corner and west side of 187th street, 96.23 ft. and 136.23 ft. north of Underhill avenue (Block No. 10115-A, part of Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the Borough Superintendent, acting on N.B. Application Nos. 8156-38, 8158-38 and 8160-38, dated October 24, 1938, read:

"The erection of a frame building within the fire limits is contrary to Section 4.1.2 of the Code."

and

WHEREAS, the premises consist of three lots upon which it is proposed to erect three (3) one and one-half story frame buildings 18 ft. in height, 22 ft. by 38.6 ft. in area, located partly in a business and partly in a residence use, "C" area district, to be occupied as one family dwellings with private garages; one garage attached and the other two garages to be located in the rear of the lots; and

WHEREAS, applicant contends that it owns the tract of land consisting of 45 acres and has already constructed or is in the process of constructing over 100 houses thereon; that the proposed construction of frame dwellings is reasonable and proper and no fire hazard can be found in the existence of frame residences adjacent to other buildings of identical construction and material.

Resolved, that the decisions of the borough superintendent, in acting on N.B. Application, Nos. 8156, 8158 and 8160-38, be and they hereby are *modified*, and that the appeal be and it hereby is *granted* to permit the erection of buildings as proposed, *on condition* that each building shall be for residential purposes only, limited in occupancy to one family each and shall comply generally with the zone requirements for an "F" residential district, except that as to the corner building the setback from Underhill avenue need not be more than 12 ft. to the main building wall exclusive of projections for entrance porch and garage; that the buildings shall be faced with masonry veneer for the height of the 1st story up to the plate line; that the roofs shall be surfaced with approved asphalt shingles as proposed; that chimney breasts may extend into the side areas for a distance of not more than 2 ft. in depth; that interior bearing partitions may be permitted as permitted for an area outside the fire limits; that a private garage for not over two cars may be constructed on each plot, provided that such garage is for the accommodation of not more than two cars each, for the sole use of the occupants of the dwelling on the plot; that such garages shall be constructed of masonry veneer and asphalt-shingle roofs, corresponding to the construction of the buildings; that any windows less than 3 ft. from the lot line shall be constructed with metal frames, glazed with wire glass and made self-closing and that any vertical portion of the garages or houses above the plate line shall be surfaced with incombustible material.

1067-38-A.

APPLICANT—Roth Developments, Incorporated, owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—48-87 and 48-91 187th street, 187-03 Underhill avenue, northeast corner and east side of 187th street, 29.86 ft. and 69.86 ft. north of Underhill avenue (Block No. 10114, part of Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Leonard Lazarus and A. A. Roth.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1067-38-A)

WHEREAS, Roth Development, Incorporated, owner, filed on November 26, 1938, an appeal from decisions of the borough superintendent, Department of Housing and Buildings, affecting premises 48-87 and 48-91 187th street and 187-03 Underhill avenue, northeast corner and east side of 187th street, 29.86 ft. and 69.86 ft. north of Underhill avenue (Block No. 10114, part of Lot No. 1), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent, acting on N. B. Application Nos. 8116-38, 8118-38 and 8120-38, dated October 24, 1938, read:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Code."

and

WHEREAS, the premises consist of a plot comprising three separate lots located partly in a residence and partly in a business use "C" area district, upon which it is proposed to erect three (3) one-and-one-half story frame buildings, 18 ft. in height, 22 ft. by 38.6 ft. in area, to be occupied as one family dwellings with private garage for each dwelling; garage on the corner lot will be attached to the dwelling and garages on the interior lots will be located at rear; and

WHEREAS, applicant contends that it owns a tract of land consisting of 45 acres and has already constructed or is in the process of constructing over 100 houses thereon; that the proposed construction of frame dwellings is reasonable and proper and that no fire hazard can be found in the existence of frame residences adjacent to other buildings of identical construction and materials.

Resolved, that the decisions of the borough superintendent, in acting on N. B. Application Nos. 8116, 8118 and 8120-38, be and they hereby are *modified,* and that the appeal be and it hereby is *granted* to permit the erection of buildings as proposed, *on condition* that each building shall be for residential purposes only, limited in occupancy to one family each and shall comply generally with the zone requirements for an "F" residential district, except that as to the corner building the setback from Underhill avenue need not be more than 12 ft. to the main building wall exclusive of projections for masonry veneer for the height of the 1st story up to the plate line; that the roofs shall be surfaced with approved asphalt shingles as proposed; that chimney breasts may extend into the side areas for a distance of not more than 2 ft. in depth; that interior bearing partitions may be permitted as permitted for an area outside the fire limits; that a private garage for not over two cars may be constructed on each plot, provided that such garage is for the accommodation of not more than two cars each, for the sole use of the occupants of the dwelling on the plot; that such garages shall be constructed of masonry veneer and asphalt-shingle roofs, corresponding to the construction of the buildings; that any windows less than 3 ft. from the lot line shall be constructed with metal frames, glazed with wire glass and made self-closing; that any vertical portion of the garages or houses above the plate line shall be surfaced with incombustible material.

1071-38-A.

APPLICANT—P. H. Mathews, Secretary, for Bush Terminal Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—East side of private marginal street, 280.83 ft. west of First avenue, foot of 47th street (Block No. 725, part of Lot No. 1), (Bush Terminal Building No. 51), Borough of Brooklyn.

APPEARANCES—

For Applicant: P. H. Mathews and C. H. Wilson.

For Administration: Inspector Maher, Fire Dept.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1071-38-A)

WHEREAS, Bush Terminal Company, owner, filed November 23, 1938, an appeal from an order and a decision of the fire commissioner, affecting premises east side of private marginal street, 280.83 ft. west of First avenue, foot of 47th street (Block No. 725, part of Lot No. 1); Bush Terminal Building No. 51), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated July 29, 1938, re. Order No. 1010-LF, reads:

"1. Provide a separate and distinct system of *Automatic Sprinklers* in cellar having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated October 24, 1938; and

WHEREAS, the building is 7 stories (76 ft.) in height, 50.33 ft. by 150 ft. in area, of fireproof construction, erected in 1905, located in an unrestricted use district and occupied throughout for storage; and

WHEREAS, the applicant contends that the cellar against which the order is issued is of brick walls, reinforced concrete floor, columns and doors of steel; that the ceiling of the cellar is 10 inches thick and is of reinforced concrete and is of a height of 6 ft. 6 in. from the floor; that the cellar is used for storage of Mexican rubber, raw gum and pig tin and small quantities of lubricating oil and at no time is such cellar occupied over 50% of capacity; that this is one of a group of buildings; that strategically located at each end of the group, are two (2) 4-way hydrants supplied from a 16-in. main; that pressure in this main is maintained at 85 lbs. by two fire pumps; that with such hydrants and four 2½-in hose, the cellar may be fully flooded in 24 minutes; that in the event of a fire, 8 lines of 2½-in. hose could be used, completely flooding the cellar in 12 minutes; that twenty-four hour watchmen service is maintained; that in addition to the above hydrants there is one (1) two-way hydrant in front of the buildings, supplied from the city 8-in. mains with an average pressure of 50 lbs. maintained; and

WHEREAS, these premises were inspected by a committee of the board; and

WHEREAS, the verbal report of committee of inspection was that applicant proposed at a later date to install a wet sprinkler throughout entire building, which they are unable to do at present, and for that reason will leave the cellar unoccupied or at least limited to storage of non-combustible materials.

Resolved, that the order of the fire commissioner No. 1010-LF be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that the cellar shall at no time be used for the storage of any material or packages that will support combustion.

1072-38-A.

APPLICANT—P. H. Mathews, Secretary, for Bush Terminal Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—East side of private marginal street, 280.83 ft. west of First avenue, foot of 47th street (Block No. 725, part of Lot No. 1), (Bush Terminal Building No. 52), Borough of Brooklyn.

APPEARANCES—

For Applicant: P. H. Mathews and C. H. Wilson.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1072-38-A)

WHEREAS, Bush Terminal Company, owner, filed November 23, 1938, an appeal from an order and a decision of the fire commissioner, affecting premises east side of private marginal street, 280.83 ft. west of First avenue, foot of 47th street (Block No. 725, part of Lot 1), (Bush Terminal Building No. 52), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated July 29, 1938, re order No. 997-LF, reads:

"1. Provide a separate and distinct system of *Auto-*

matic Sprinklers in cellar having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated October 24, 1938; and

WHEREAS, the building is 7 stories (76 ft.) in height, 50.33 ft. by 150 ft. in area, of fireproof construction, erected in 1905, located in an unrestricted use district and occupied throughout for storage; and

WHEREAS, the applicant contends that the cellar against which the order is issued is of brick walls, reinforced concrete floor, columns and doors of steel; that the ceiling of the cellar is 10 in. thick and is of reinforced concrete and is of a height of 6 ft. 6 in. from the floor; that the cellar is used for storage of Mexican rubber, raw gum and pig tin and small quantities of lubricating oil and at no time is such cellar occupied over 50 per cent of capacity; that this is one of a group of buildings; that strategically located at each end of the group are two (2) 4-way hydrants supplied from a 16 in. main; that pressure in this main is maintained at 85 lbs. by two fire pumps; that with such hydrants and four 2½ in. hose, the cellar may be fully flooded in 24 minutes; that in the event of a fire 8 lines of 2½ in. hose could be used, completely flooding the cellar in 12 minutes; that twenty-four hour watchmen service is maintained; that in addition to the above hydrants there is one (1) two-way hydrant in front of the buildings, supplied from the City 8 in. mains with an average pressure of 50 lbs. maintained; and

WHEREAS, these premises were inspected by a committee of the board; and

WHEREAS, the verbal report of committee of inspection was that applicant proposed at a later date to install a wet sprinkler throughout the entire building, which they are unable to do at present, and for that reason will leave the cellar unoccupied or at least limited to storage of non-combustible materials.

Resolved, that the order of the fire commissioner, No. 997-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the cellar shall at no time be used for the storage of any material or packages that will support combustion.

1073-38-A.

APPLICANT—P. H. Mathews, Secretary, for Bush Terminal Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—East side of private marginal street, 280.83 ft. west of First avenue, foot of 47th street (Block No. 725, part of Lot No. 1), Bush Terminal Building No. 53), Borough of Brooklyn.

APPEARANCES—

For Applicant: P. H. Mathews and C. H. Wilson.
For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1073-38-A)

WHEREAS, Bush Terminal Company, owner, filed November, 23, 1938, an appeal from an order and a decision of the fire commissioner, affecting premises east side of private marginal street, 280.83 ft. west of First avenue, foot of 47th street (Block No. 725, part of Lot No. 1), (Bush Terminal Building No. 53), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated July 29, 1938, re. order No. 999-LF, reads:

"1. Provide a separate and distinct system of *Automatic Sprinklers* in cellar having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated October 24, 1938; and

WHEREAS, the building is 7 stories (76 ft.) in height, 50.33 ft. by 150 ft. in area, of fireproof construction, erected in 1905, located in an unrestricted use district and occupied throughout for storage; and

WHEREAS, the applicant contends that the cellar against which the order is issued is of brick walls, reinforced concrete floor, columns and doors of steel; that the ceiling of the cellar is 10 inches thick and is of reinforced concrete and is of a height of 6 ft. 6 in. from the floor; that the cellar is used for storage of Mexican Rubber, raw gum and pig tin and small quantities of lubricating oil and at no time is such cellar occupied over 50 per cent of capacity; that this is one of a group of buildings; that strategically located at each end of the group are two (2) 4-way hydrants supplied from a 16 inch main; that pressure in this main is maintained at 85 lbs. by two fire pumps; that with such hydrants and four 2½ inch hose, the cellar may be fully flooded in 24 minutes; that in the event of a fire 8 lines of 2½ inch hose could be used, completely flooding the cellar in 12 minutes; that twenty-four hour watchmen service is maintained; that in addition to the above hydrants there is a one (1) two-way hydrant in front of the buildings supplied from the City 8 inch mains with an average pressure of 50 lbs. maintained; and

WHEREAS, these premises were inspected by a committee of the board; and

WHEREAS, the verbal report of Committee of Inspection was that applicant proposed at a later date to install a wet sprinkler throughout entire building, which they are unable to do at present, and for that reason will leave the cellar unoccupied or at least limited to storage of non-combustible materials.

Resolved, that the order of the fire commissioner No. 999-LF be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the cellar shall at no time be used for the storage of any material or packages that will support combustion.

1074-38-A.

APPLICANT—P. H. Mathews, Secretary, for Bush Terminal Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—East side of private marginal street, 280.83 ft. west of First avenue, foot of 48th street (Block No. 725, part of Lot No. 1); (Bush Terminal Building No. 54), Borough of Brooklyn.

APPEARANCES—

For Applicant: P. H. Mathews and C. H. Wilson.
For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1074-38-A)

WHEREAS, Bush Terminal Company, owner, filed November 23, 1938, an appeal from an order and a decision of the fire commissioner, affecting premises east side of private marginal street, 280.83 ft. west of First avenue, foot of 48th street (Block No. 725, part of Lot No. 1); (Bush Terminal Building No. 54), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated July 29, 1938, re. order No. 998-LF, reads:

"1. Provide a separate and distinct system of *Automatic Sprinklers* in cellar having at least one source

of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated October 24, 1938; and

WHEREAS, the building is 7 stories (76 ft.) in height, 50.33 ft. by 150 ft. in area, of fireproof construction, erected in 1905, located in an unrestricted use district and occupied throughout for storage; and

WHEREAS, the applicant contends that the cellar against which the order is issued is of brick walls, reinforced concrete floor, columns and doors of steel; that the ceiling of the cellar is 10 in. thick and is of reinforced concrete and is of a height of 6 ft. 6 in. from the floor; that the cellar is used for storage of Mexican rubber, raw gum and pig tin and small quantities of lubricating oil and at no time is such cellar occupied over 50% of capacity; that this is one of a group of buildings; that strategically located at each end of the group are two (2) 4-way hydrants supplied from a 16-in. main; that pressure in this main is maintained at 85 lbs. by two fire pumps; that with such hydrants and four 2½-in. hose, the cellar may be fully flooded in 24 minutes; that in the event of a fire 8 lines of 2½-inch hose could be used, completely flooding the cellar in 12 minutes; that twenty-four hour watchmen service is maintained; that in addition to the above hydrants there is a one (1) two-way hydrant in front of the buildings, supplied from the city 8-in. mains with an average pressure of 50 lbs. maintained; and

WHEREAS, these premises were inspected by a committee of the board; and

WHEREAS, the verbal report of committee of inspection was that applicant proposed at a later date to install a wet sprinkler throughout entire building, which they are unable to do at present, and for that reason will leave the cellar unoccupied or at least limited to storage of non-combustible materials.

Resolved, that the order of the fire commissioner No. 998-LF be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that the cellar shall at no time be used for the storage of any material or packages that will support combustion.

1075-38-A.

APPLICANT—P. H. Mathews, Secretary, for Bush Terminal Company, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—East side of private marginal street, 280.83 ft. west of First avenue, foot of 48th street (Block No. 725, part of Lot No. 1); (Bush Terminal Building No. 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: P. H. Mathews and C. H. Wilson.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1075-38-A)

WHEREAS, Bush Terminal Company, owner, filed November 23, 1938, an appeal from an order and a decision of the fire commissioner, affecting premises east side of private marginal street, 280.83 ft. west of First avenue, foot of 48th street (Block No. 725, part of Lot No. 1); (Bush Terminal Building No. 55), Borough of Brooklyn; and

WHEREAS, the order of the fire commissioner, dated July 29, 1938, re Order No. 996-LF, reads:

"1. Provide a separate and distinct system of *Automatic Sprinklers* in cellar having at least one source of water supply, arranged and equipped as provided in Article 16, Administrative Code."

and

WHEREAS, said order was repeated in a decision of the fire commissioner, dated October 24, 1938; and

WHEREAS, the building in question is 7 stories (76 ft.) in height, 50.33 ft. by 150 ft. in area, of fireproof construction, erected in 1905, located in an unrestricted use district and occupied throughout for storage; and

WHEREAS, the applicant contends that the cellar against which the order is issued is of brick walls, reinforced concrete floor, columns and doors of steel; that the ceiling of the cellar is 10 in. thick and is of reinforced concrete and is of a height of 6 ft. 6 in. from the floor; that the cellar is used for storage of Mexican rubber, raw gum and pig tin and small quantities of lubricating oil and at no time is such cellar occupied over 50 per cent of capacity; that this is one of a group of buildings; that strategically located at each end of the group are two (2) 4-way hydrants supplied from a 16 in. main; that pressure in this main is maintained at 85 lbs. by two fire pumps; that with such hydrants and four 2½ in. hose, the cellar may be fully flooded in 24 minutes; that in the event of a fire 8 lines of 2½ in. hose could be used, completely flooding the cellar in 12 minutes; that twenty-four hour watchmen service is maintained; that in addition to the above hydrants there is a one (1) two-way hydrant in front of the buildings, supplied from the City 8 in. mains with an average pressure of 50 lbs. maintained; and

WHEREAS, these premises were inspected by a committee of the board; and

WHEREAS, the verbal report of committee of inspection was that applicant proposed at a later date to install a wet sprinkler throughout entire building, which they are unable to do at present, and for that reason will leave the cellar unoccupied or at least limited to storage of non-combustible materials.

Resolved, that the order of the fire commissioner, No. 996-LF, be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that the cellar shall at no time be used for the storage of any material or packages that will support combustion.

1098-38-A.

APPLICANT—P. J. Kennedy and Sons, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—12 Barclay street, south side, 238 ft. west of Broadway (Block No. 88, Lot No. 14), Borough of Manhattan.

APPEARANCES—

For Applicant: Louis Kennedy.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1098-38-A)

WHEREAS, P. J. Kennedy and Sons, owner, filed on November 30, 1938, an appeal from an order of the fire commissioner, affecting premises 12 Barclay street, south side, 238 ft. west of Broadway (Block No. 88, Lot No. 14), Borough of Manhattan; and

WHEREAS, Order No. 2186-LF, issued by the fire commissioner, November 10, 1938, reads:

"Install an approved wet automatic sprinkler system in cellar and sub-cellar, having at least one source of water supply arranged and equipped as per Art. 16, Ch. 26, Administrative Code."

and

WHEREAS, the building is 5 stories (62 ft.) in height, 25

ft. by 98 ft. in area, of non-fireproof construction; in an unrestricted use district; erected in 1858 and occupied as follows: Subcellar—storage, no persons; cellar—storage and shipping, 4 persons; 1st floor—store, 8 persons; 2nd floor—office, 12 persons; 3rd floor—office, 7 persons; 4th floor—mailing department, 3 persons; 5th floor—stockroom, 1 person, for which Certificate of Occupancy No. 18027 was issued December 3, 1931, after Alteration 1235-31. This certificate of occupancy is issued on condition that the entire building be occupied by one tenant; and

WHEREAS, the applicant contends that compliance with this order at the present time would create a hardship and it is requested that installation of perforated pipes in the cellar and subcellar with outlets on the street level, be permitted in lieu of compliance with the order.

Resolved, that Order No. 2186-LF, issued by the fire commissioner, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that a non-automatic sprinkler system shall be installed in the cellar and sub-cellar; that an automatic or other type of alarm shall not be required in connection with such system; that all pipe fittings shall be of malleable iron and the system otherwise installed in accordance with the requirements of article 16 of the building code, except that the sprinkler heads may be spaced 25% in excess of the requirements as therein set forth and shall be supplied from street front by a pipe riser equal in diameter to the number of heads to be supplied in either cellar or sub-cellar, but shall not be less than 3 in. or more than 4 in.; that the street pipe shall be fitted with 3-inch, single swivel pumper connection without clapper valves, as approved by the Board of Standards and Appeals for flush type siamese; that the pumper connection shall be fitted with an approved cap or plug and shall have an approved sign indicating the type of system and portions of the premises protected and that the signs, plugs and caps shall be painted aluminum.

1111-38-A.

APPLICANT—William Adelman, for Fresh Meadow Homes, Inc., owner.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—69-78 and 69-84 181st street, northwest corner of 73rd avenue, west side of 181st street, 750 ft. south of 69th avenue (Block No. 7132, part of Lot No. 16), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: William Adelman.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioner Blum and Assistant Chief Walsh.....	3
Negative	0
Absent: Commissioner Savage	1

THE RESOLUTION—

(1111-38-A)

WHEREAS, William M. Adelman, for Fresh Meadow Homes, Inc., owner, filed December 3, 1938, an appeal from decisions of the borough superintendent of buildings, affecting premises 69-78 to 69-84 181st street, northwest corner 73rd avenue and west side of 181st street, 750 ft. south of 69th avenue (Block No. 7132, part of Lot No. 16), Flushing, Borough of Queens; and

WHEREAS, the decisions of the borough superintendent of buildings on New Building Application Nos. 7969-38 and 8879-38 dated November 29, 1938, reads:

"The erection of a frame building within the fire limits is contrary to section 4.1.2 of the Building Code."

and

WHEREAS, it is proposed to erect two 2½ story frame buildings, 26 ft. in height, one building 33 ft. 8 in. by 61 ft. 6 in. in area and the other, 29 ft. by 32 ft. in area on a plot 110.66 ft. by 100 ft. in area, located partly in a residence and partly in a business use "D" area district, to be occupied as one family dwellings, with attached private garages; and

WHEREAS, applicant contends that it is considered unwise to leave the business portion of the tract under development unbuilt upon; that the proposed buildings will be surfaced on the exterior four sides with brick on the first story and stucco or brick facing on the second story; roofs will be covered with slate; distance between buildings will be at least 11 ft. and that the proposed buildings will be similar to the houses already erected in the development.

Resolved, that the decisions of the borough superintendent, in acting on N.B. Application Nos. 7969-38 and 8879-38, be and they hereby are *modified*, and that the appeal be and it hereby is *granted*, to permit the erection of two 2½ story frame dwellings, as indicated on plans filed with the borough superintendent *on condition* that each building shall be for residential purposes only, limited in occupancy to one family each and that the building and plot shall comply substantially with the zone requirements for an "E" residential district, except that the setback from 73rd avenue may be less than an average of 12 ft. and except that the buildings may exceed 18 ft. in height up to the plate line, provided such height does not exceed 26 ft.; that the buildings shall be faced with masonry veneer at least for the 1st story, and that the roofs shall be surfaced with natural slate as proposed; that any chimney breast may extend into the side yard areas for a distance of not over 2 ft.; that the interior bearing partitions may be as permitted for an area outside of the fire limits; that a private garage for two cars may be constructed on each plot, provided such garage is for the accommodation of not more than two cars each, for the sole use of the occupants of the dwelling on the plot; that the same may be constructed of masonry veneer and slate roofs, corresponding to the construction of the residential buildings and same may be attached as a part of the dwelling, provided a fireproof cut-off is constructed, separating the garage from the main house; that if the garage is located on the rear lot line, no windows within 3 ft. of lot line may be constructed unless provided with metal frames, glazed with wire glass and made self-closing; and that the portion of the garages not faced with masonry and within 3 ft. of the lot line shall be fire-retarded.

1113-38-A.

APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—41-01 to 41-16 12th street, super block bounded by 41st avenue, 21st street, Bridge Plaza North, and 12th street (Block No. 463, Lot No. 182 and Block No. 464, Lot No. 114), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Allen F. Harrison, J. A. Walsh and H. C. Lamb.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1113-38-A)

WHEREAS, William F. R. Ballard, for New York City Housing Authority, owner, filed on December 5, 1938, an

appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 41-01 to 41-16 12th street (entire block) bounded by 12th street, 21st street, 41st avenue and Bridge Plaza North (Block No. 463, Lot No. 182 and Block No. 464, Lot No. 114), Long Island City, Borough of Queens; and

WHEREAS, the decision of the Borough Superintendent on N. B. Application No. 9852-38, dated November 28, 1938, reads:

"Section 8.5.29 of the Building Code required controlled concrete to be regularly inspected by Registered Architect or Licensed Engineer responsible for the design of same."

and

WHEREAS, the premises consist of a plot 452.829 ft. by 638.186 ft. in area, upon which it is proposed to erect four (4) six-story, fireproof, Class A Multiple Dwellings, in an unrestricted use "B" area district; and

WHEREAS, the applicant contends that the Housing Authority will maintain at the site a thoroughly competent staff of field inspectors and supervisors; and will comply with the conditions set forth in a letter dated October 8, 1938, filed with a similar appeal.

Resolved, that the decision of the Borough Superintendent on N.B. App. No. 9852-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the provisions of the Building Code as to inspection and testing of controlled concrete shall be carried through as proposed in letter dated October 8, 1938, from the New York Housing Authority, to the Chairman of this Board, reading as follows:

"At the instance of Mr. William F. R. Ballard, Chief Architect for the Queensbridge Project, we are outlining below the method which the Housing Authority intends to pursue regarding the inspection of Controlled Reinforced Concrete for this job.

1. *Preliminary Tests.* All provisions in Section (7.4.32) Sec. C26-364.0 will be strictly complied with.

2. *Field Inspection.* All provisions in Section (8.5.29) Sec. C26-497.0 will be strictly complied with, except that we will employ Joseph Goldstein, Professional Engineer, License No. 8536 of 1225 Boston Road, N. Y. C., to have complete responsibility for carrying on the inspection, supervision of all tests and compiling of all records. Mr. Goldstein was associated with Elwyn E. Seelye & Co., Inc., Structural Engineers for this job and is thoroughly familiar with the details of design.

3. *Field Tests of Controlled Concrete.* All provisions in Section (8.5.32) Sec. C26-500.0 will be strictly complied with.

All laboratory tests will be made and certified to by an accredited testing laboratory, such as the Pittsburgh Testing Laboratory, Inc., or Hildreth & Co., Inc."

and that any changes or variations in the work shall be immediately reported to the Designing Engineer."

1115-38-A.

APPLICANT—Patricia Nursing Home, Inc., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1520-1522 Jessup avenue, east side, 194 ft. north of East 172nd street (Block No. 2872, Lot Nos. 285 and 286), Borough of The Bronx.

APPEARANCES—

For Applicant: Mary Epstein and W. I. Smith.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1115-38-A)

WHEREAS, Patricia Nursing Home, Inc., lessee, filed on December 5, 1938, an appeal from an order of the fire commissioner, affecting premises 1520-1522 Jessup avenue, east side, 194 ft. north of East 172nd street (Block No. 2872, Lot Nos. 285 and 286), Borough of The Bronx; and

WHEREAS, the order of the fire commissioner, No. 23-38, issued by the fire commissioner prior to August 8, 1938 (date unknown) reads:

"1. Provide telegraphic communication with Department Headquarters as provided for by City Ordinances, or provide a telephone of the non-coin type with a card of instructions at or near same, showing location of nearest fire alarm box, engine or truck company and telephone number of Fire Department Headquarters, Chapter 19, Section 487, par. 2, Subdiv. B-1 of Administrative Code."

and

WHEREAS, said order was repeated in a communication of the fire department, dated November 29, 1938; and

WHEREAS, a decision of the fire commissioner, dated August 8, 1938, referring to same order reads:

"In reply to your letter relative to Order No. 23-38, you are advised that before this Order can be dismissed, telegraphic communication with Fire Department Headquarters must be provided.

This Department will not certify the above premises to the Department of Housing and Buildings as suitable for the intended occupancy until the above item is satisfactorily complied with."

and

WHEREAS, the building is 3 and 5 stories (52 ft. 2 in.) in height; 51 ft. by 52 ft. in area; of fireproof construction erected in 1916; located in residence use district and occupied: Cellar—boiler room and storage; basement—kitchen and help quarters; 1st floor—nursing home, 12 persons; 2nd floor—nursing home, 16 persons; 3rd floor—nursing home, 14 persons; for which Certificate of Occupancy No. 5-37 was issued January 26, 1937, permitting 7 patients on the 1st floor; 8 patients on the 2nd floor; 7 patients on the 3rd floor and blank as to upper stories; and

WHEREAS, the applicant contends that the distance from the main entrance of building to the nearest fire box is 240 ft.; that a non-coin type of telephone will be installed, and instructions as to the location of the nearest fire box will be installed; that the buildings are of fireproof construction, all partitions of concrete, the floors are reinforced concrete and the stairs are all stone; an approved local fire alarm system has been installed, covering all parts of both buildings; a watchman recording clock system has been installed; adequate fire extinguishers are located in various parts of the building; a staff of nurses is on duty, both day and night; and

WHEREAS, it appears that there are two buildings adjoining and connected and that the record in the fire department indicates that the construction is non-fireproof with unprotected openings between the two buildings and that the certificate of occupancy shows a three and five story brick and stone building (non-fireproof), apparently covering the two buildings as one building.

Resolved, that Order No. 23-38, issued by the fire commissioner, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the nearest fire box shall not be more than 240 ft. removed from the main entrance to the building; that a non-coin type telephone shall be installed in the building with card of instructions for the same, showing location of nearest fire alarm box and Engine Company; that the building at all times shall be under the control, both day and night, of a staff of nurses who shall be informed as to the location of nearest fire box; that the interior fire alarm system and watchman-and-recording-clock system shall be maintained and such fire extinguishers shall be installed in the building as the fire commissioner shall direct.

MINUTES

1117-38-A.

APPLICANT—Egan Sign Co., Inc., for Samuel Fuchs, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—1292 Southern boulevard, east side, 100 ft. north of Freeman street (Block No. 2980, Lot No. 5), Borough of The Bronx.

APPEARANCES—

For Applicant: Eugene Egan.

For Administration: M. C. E. Theide, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(1117-38-A)

WHEREAS, Egan Sign Co., Inc., for Samuel Fuchs, owner, filed December 6, 1938, an appeal from a decision of the borough superintendent, affecting premises 1292 Southern boulevard, east side, 100 ft. north of Freeman street (Block No. 2980, Lot No. 5), Borough of the Bronx; and

WHEREAS, the decision of the borough superintendent, on E.S. Applic. No. 698-38, reads:

"1. Sign not permitted to extend above the marquee. Section B26-7.0 paragraph G of the Administrative Code."

and

WHEREAS, the building is 3 stories (40 ft.) in height, 53 ft. 3⅝ in. by 101 ft. 5½ in. in area, of non-fireproof construction, erected in 1926, located in a business use district and occupied: Basement—dining room—100 persons; 1st floor same—125 persons; 2nd floor—ball room—100 persons; 3rd floor banquet hall—100 persons, for which certificate of occupancy No. 2681-27 was issued on December 29, 1927; and

WHEREAS, the applicant contends that sign permit No. 220933 was issued in 1928 for four (4) signs 3 ft. by 9 ft. 3 ft. by 17 ft., 3 ft. by 9 ft. and 3 ft. by 12 ft., respectively, totaling 219 square feet in area; that the proposed signs will be smaller in area than those originally permitted; that photographs of the present signs have been filed and plans of the proposed signs have been made part of this appeal.

Resolved, that the decision of the borough superintendent as to E.S. App. No. 698-38, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the sign shall be substantially as indicated on plans filed with this appeal, not exceeding a total height of three (3) feet on the front and sides and that the word "Chateau" on the front and two sides shall consist of open letters not attached to backing and not exceeding 18 inches in height; that in all other respects the sign shall comply with all the requirements applicable thereto.

1136-38-A.

APPLICANT—Carbide and Carbon Chemicals Corporation, owner.

SUBJECT—Appeal from a decision of the fire commissioner re: Manufacture, storage, sale and transportation of "Declene Hydraulic Brake Flushing Fluid" (Inflammable mixture) in non-refillable cans, in New York City.

APPEARANCES—

For Applicant: Wilfred C. Roszel and H. C. Stelling.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(1136-38-A)

WHEREAS, Carbide and Carbon Chemicals Corporation, owner, filed December 8, 1938, an appeal from a decision of the fire commissioner relative to the storage, sale and transportation of "Declene Hydraulic Brake Flushing Fluid" (inflammable mixture) in cans other than a type as specified in Section C19-59.0 C Administrative Code; and

WHEREAS, the decision of the fire commissioner, dated December 2, 1938 (Folder No. 22-398) reads:

"This Department is in receipt of application for the product known as 'DECLENE HYDRAULIC BRAKE FLUSHING FLUID'.

Be advised that this department disapprove all cans used for packing and shipping inflammable mixtures, other than the type as specified and provided for in Section C19-59-0 C of the Administrative Code of the City of New York, for the reason that

Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five (5) gallons each; cans to be fitted with a tight fitting replaceable top, cap or other device, so made that the can shall be airtight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallons each."

and

WHEREAS, it is proposed to market "Declene Hydraulic Brake Flushing Fluid" in one quart non-refillable metal containers bearing labels containing names of Parts Division of General Motors Sales Corporation and Delco Brake Division of General Motors Corporation; and

WHEREAS, the applicant contends "Declene" Hydraulic Brake Flushing Fluid consists primarily of denatured alcohol, with coloring matter added, for use as a flushing fluid for flushing hydraulic brake systems; that this fluid is manufactured by Carbide and Carbon Chemicals Corporation; that it is marketed by Delco Brake Division, of General Motors Corporation, in one-quart metal containers bearing its name and address and under the brand name or trade mark "Declene" Hydraulic Brake Flushing Fluid, and it is also marketed by General Motors Parts Division of General Motors Sales Corporation, in one-quart metal containers bearing its name and address and under said brand name or trade mark. Such containers do not and will not bear the name, address, brand name or trade mark of Carbide and Carbon Chemicals Corporation; that such one-quart containers are non-refillable metal containers which are not fitted with a tight-fitting replaceable top, cap or other device; that such containers are tightly sealed after filling at the manufacturing plant and remain airtight until the contents are used; that each such container is opened immediately before use by puncturing the top of the container; that each can will bear the words: "CAUTION—INFLAMMABLE MIXTURE. DO NOT USE NEAR FIRE OR FLAME."

Resolved, that the decision of the fire commissioner, dated December 2, 1938, be and it hereby is *modified,* and that the appeal be and it hereby is *granted,* permitting the transportation, sale, storage and manufacture of "Declene" Hydraulic Brake Flushing Fluid (inflammable mixture), as described in this appeal, in one quart metal cans without a tight-fitting replaceable type cap or other device, *on condition* that there shall appear on each can, a prominent notice reading "UPON OPENING REMOVE ENTIRE CONTENTS AT ONCE"; that each such notice shall have white or aluminum colored letters on a Fire Department red background or Fire Department red letters on a white or aluminum colored background; that such notice shall be part of the lithographed label on the side or top surface of the can and that the lithographed label shall

also contain the additional words "THIS CONTAINER APPROVED BY THE BOARD OF STANDARDS AND APPEALS FOR 'DECLENE', UNDER CAL. NO. 1136-38-A"; that this inflammable mixture shall conform in all other respects and that a certificate of approval shall be obtained from the Fire Commissioner and that "Declene" Hydraulic Brake Flushing Fluid may be marketed in cans as herewith approved, bearing the names and addresses of the following manufacturers or agents with their brand or trade names:

By Delco Brake Division, of General Motors Corporation, as "Declene".

By General Motors Parts Division of General Motors Corp., as "Declene".

1154-38-A.

APPLICANT—Consolidated Expanded Metal Company, for 5801 14th Avenue, Inc., owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—115 Lincoln road, north side, 483 ft. 6 in. east of Washington avenue (Block No. 1327, Lot Nos. 26 and 28), Borough of Brooklyn.

APPEARANCES—

For Applicant: Charles Rattner.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

THE RESOLUTION—

(1154-38-A)

WHEREAS, the Consolidated Expanded Metal Company for 5801 14th avenue, Inc., owner, filed December 12, 1938, with the Board of Standards and Appeals an appeal from a decision of the Borough Superintendent of Buildings affecting premises 115 Lincoln road, Northside, 483 ft. 6 in. east of Washington avenue (Block No. 1327, Lot Nos. 26 and 28), Borough of Brooklyn; and

WHEREAS, the decision of the Borough Supt. of Buildings, dated December 12, 1938, in acting on Application No. 18756-1938, reads:

"1. Application contrary to Section 8.4.10.2 of the Code and is hereby denied."

and

WHEREAS, it is proposed to erect a 6 story multiple dwelling of non-fireproof construction, 110 ft. by 205 ft. in area and to lath the building throughout in one operation, with Jumbo expanded metal reinforcing; and

WHEREAS, applicant contends that the material proposed to be used varies slightly in weight from the required weight specified in the code; that the paper backing is treated so as to render it fire resisting and that the expanded metal reinforcing produces with the plaster, a monolithic slab.

Resolved, that the decision of the borough superintendent, in acting on N.B. Applic. No. 18756-1938, be and it hereby is *modified,* and that the appeal be and it hereby is *granted,* permitting the use of Jumbo Expanded Metal Lath, weighing 2.2 lbs. per square yard, not including paper backing, or 2.86 lbs. per square yard with backing and permitting the building to be lathed at one time, *on condition* that the plaster shall be carefully troweled to insure adequate clinch; that in all other respects the lath shall be installed in accordance with the Building Code for metal lath, except that the required lacing may be omitted.

VARIATIONS OF LABOR LAW

797-38-S.

APPLICANT—Jack Z. Cohen, for Louis Trotner, owner.

SUBJECT—Variation of the labor law as cited in an order and a decision of the fire commissioner.

PREMISES AFFECTED—959-961 East 85th street, east side, 200 ft. north of Avenue J (Block No. 8022, Lot No. 16), Borough of Brooklyn.

APPEARANCES—

For Applicant: Larry Meltzer.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Laid over to December 20, 1938, at 2 P. M. Applicant to file new order.

1079-38-S.

APPLICANT—William J. Minogue for Sterling Sign Company, owner.

SUBJECT—Variation of the labor law as cited in a decision of the borough superintendent of buildings.

PREMISES AFFECTED—608-612 Sixth avenue and 50-58 West 18th street, southeast corner (Block No. 819, Lot Nos. 76 and 77), Borough of Manhattan.

APPEARANCES—

For Applicant: William J. Minogue.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Blum and Assistant Chief Walsh..... 3

Negative 0

Absent: Commissioner Savage 1

THE RESOLUTION—

(1079-38-S)

WHEREAS, William J. Minogue, for Sterling Sign Co., lessee, filed November 28, 1938, an application for a variation of the Labor Law, as cited in a decision of the borough superintendent, affecting premises 608-612 Sixth avenue and 50-58 West 18th street, southeast corner (Block No. 819, Lot Nos. 76 and 77), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alt. Applic. No. 2661-37, dated November 2, 1938, reads:

"8. Material of partitions in a fireproof factory building should comply with Sec. 270 Labor Law. File plans showing final changes."

and

WHEREAS, the building is 4 stories (45 ft.) in height, 92 ft. by 181 ft. 2½ in. in area, of fireproof construction, erected in 1910, to be occupied as follows: Cellar—storage—15 persons; 1st floor—stores and factory—30 persons; 2nd floor—showroom, factory, photo studio and lecture hall—230 persons; 3rd floor—showroom and factory—30 persons; 4th floor—showroom and factory—30 persons; the means of egress to consist of one interior 3 ft. 8 in. wide, iron and steel stairs, enclosed in terra cotta partitions, with fireproof self-enclosing doors at the openings and one exterior fire escape with counterbalanced ladder to street located on the 18th street front. Windows on the course of the fire escape to be fireproof; and

WHEREAS, the applicant contends that the building is divided into two portions by a masonry wall, the corner portion being 81 ft. by 92 ft. by 4 stories in height, the interior portion 100 ft. by 92 ft. by 2 stories in height; that the factory portion of the second story is limited to the corner portion of the building and this is the portion of the building covered by this application; that the photo studio and lecture hall is entirely in the interior portion at the east; that the factory occupancy of this portion under appeal is an art studio where posters and signs are painted for commercial use; that the partitions in question divide this area into office spaces, and an information booth; that a building of this height and area could be a non-fireproof building, in which case the partitions would be legal of non-fireproof construction; that these are dwarf partitions and do not extend to the ceiling; that the exits in this portion of the building are as follows: a fireproof

enclosed stairway, a labor law fire escape and a horizontal exit to the portion of the building at the west.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the Labor Law, and that the application be and it hereby is *granted* as to Alt. Applic. No. 2661-37, permitting the construction of interior dwarf partitions, as described in this application, *on condition* that such partitions shall extend to a point within 2 ft. of the ceiling and shall be faced on each side with sheet rock or similar plaster material, not less than ⅜ inch thick; and that in all other respects the building shall comply with the Labor Law and all other laws, rules and regulations applicable thereto.

APPLIANCES SUBMITTED FOR APPROVAL

359-38-SA.

APPLICANT—Lawrence M. Rothman, for Max Michelson, owner.

SUBJECT—Michelson Scaffold, approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(359-38-SA)

WHEREAS, Lawrence M. Rothman, for Max Michelson, owner, filed May 13, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Michelson Scaffold; and

WHEREAS, this appliance was submitted to the Committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests was as follows:

REPORT ON COMMITTEE ON TESTS

Re: Cal. No. 359-38-SA—Michelson Scaffold

Lawrence N. Rothman, agent for Max Michelson, owner, filed May 13, 1938, an application with the Board of Standards and Appeals for approval of the device known as the Michelson Scaffold under the provisions of Sec. 240, Labor Law and (2.2.3 BC) C26-191.0 Adm. Code and (9.2.5 C BC) C 26-556.0 Adm. Code.

This device consists of an outrigger scaffold supported on movable brackets, attached to guide rails which are fastened to floor beams of a structure. The device is provided with latch dogs pivotally carried by the rails for engaging rungs on the outrigger member for safely hanging outrigger member from the rails. Provision is made for moving the latch dogs out of the path of the rungs on the outrigger member when scaffold is lowered. A hand winch is incorporated connecting the rails and the outrigger members so that latter may be raised or lowered. There is also provided frames for attaching rails to the building either by means of U bolts over joists or by other acceptable methods. Angle iron members are also provided over window sills or bases of any other openings. (See Fig. 1).

A load test was applied of approximately 6400 lbs. over a scaffold 4 ft. wide with lever arm approximately 4 feet and load uniformly distributed between supports 14 ft. on centres and the scaffold was raised and lowered without deflection or outward movement of rails, indicating satisfactory performance. On the basis of this test it is recommended that the Michelson Scaffold be approved for use in New York City on condition—

a—All scaffolds and parts of scaffold equipment comprising anchorage for scaffolds shall be so constructed as to bear four times the maximum weight required to be dependent therefrom or placed thereon when in use.

b—The scaffolding if used on structures fireproof or fireprotected shall have all planking and other combustible material treated to make them fire resisting.

c—The scaffolding shall be constructed in accordance with the above report and the plans filed with this application provided that the maximum distance between brackets shall not exceed 13 feet.

d—The scaffolding shall be designed for a live load of 75 lbs. per sq. ft. as provided for in subdivision a, above.

e—The scaffolding shall have a railing of wood not less than one and three-quarter (1¾) inches by two and three-quarter (2¾) inches, or other approved material of equal strength, properly secured at intervals of not more than twelve (12) feet, such railing to be at least thirty-four (34) inches above the floor or floors, or main portion of scaffold and extending its entire length.

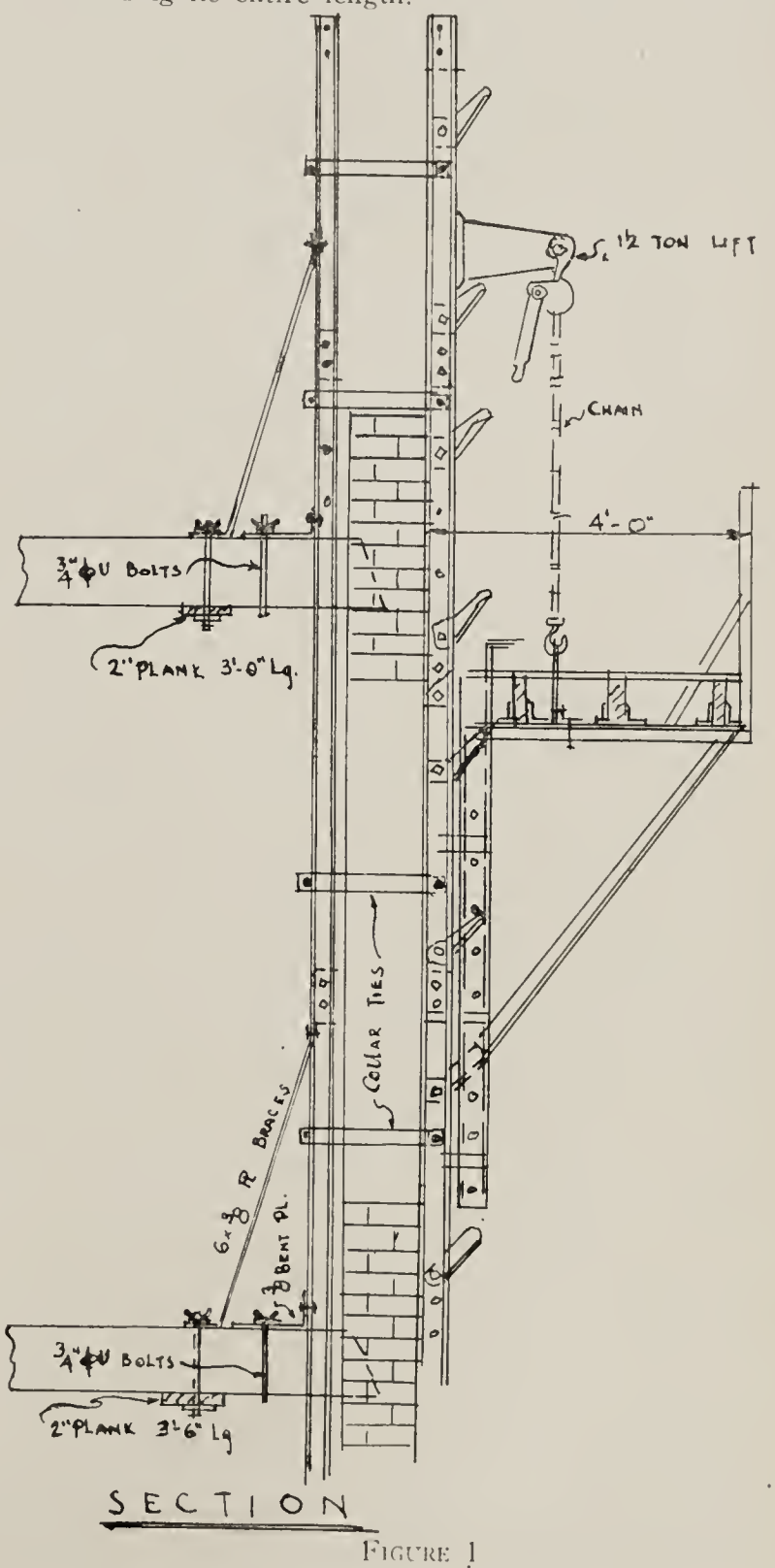

FIGURE 1

f—Each section of scaffold to be provided with a metal plate reading: "This scaffold is approved by the Board of Standards and Appeals under Cal. No. 359-38-SA. The maximum live load on this scaffolding shall not exceed 75 lbs. per sq. foot."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Michelson Scaffold under the provisions of Section 240 Labor Law, C 26-191.0 Adm. Code (2.2.3 BC) and C 26-556.0 Adm. Code (9.2.5 C BC), *on condition* that the appliance shall be constructed, installed and labelled in accordance with the above report.

499-38-SA.

APPLICANT—Carrier Corporation, owner.
SUBJECT—Carrier Oil Burner, Model 62C2, approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appliance approved in accordance with report of Committee on Tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(499-38-SA)

WHEREAS, the Carrier Corporation, owner, filed June 16, 1938, an application with the Board of Standard and Appeals for approval of the appliance known as the Carrier Oil Burner, Model 62C2; and

WHEREAS, the appliance was submitted to the Committee on Tests of the Board for test; and

WHEREAS, the report of the committee on tests included description and recommendation as follows:

REPORT OF COMMITTEE.

Re: Cal. 499-38-SA.
Subject: Approval of Carrier Oil Burner, Model 62C2.

This is a mechanical draft domestic oil burner of the gun type, for installation in a special carrier steam boiler and air conditioning unit known as the Type 59 F Home Weather maker. The motor is a ⅛ H.P., 100 volt, 60 cycle, single phase, 1725 r.p.m. Leland, flange mounted on the burner housing. The fuel unit combines a Webster two stage oil pump, strainer and pressure regulating valve; a Webster transformer is used. The fan is 6 inches in diameter, forward curve type. The controls consist of a Penn aquastat type 430, Minneapolis Stack switch, and Minneapolis pressurestat. At the test the controls operated in 85 seconds following flame extinguishment, shutting off the burner. During the operation there were no flare backs or undue carbon deposits.

This appliance has been approved by the Underwriters Laboratories Application No. 38C132.

It is recommended that the Carrier Oil Burner, Model 62C2 be approved for use in domestic and commercial installations with fuel oil not heavier than No. 3 U. S. Dept. of Commerce Standards and when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Carrier Oil Burner, Model 62C2, for use in domestic installations with fuel oil not heavier than No. 3 U. S. Dept. of Commerce Standards, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report, *on condition* that the appliance shall have a label permanently affixed reading:

Approved by the
BOARD OF STANDARDS AND APPEALS
For Use in New York City
Under Cal. No. 499-38-SA.

720-38-SA.

APPLICANT—Alro Plumbing Specialty Company, owner.
SUBJECT—Alro Fill Pipe Terminal for Fuel Oil—approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appliance approved in accordance with report of engineer of the board.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(720-38-SA)

WHEREAS, the Alro Plumbing Specialty Company, owner, filed August 15, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Alro Fill Pipe Terminal for fuel oil; and

WHEREAS, the appliance was submitted to the engineer of the board for investigation and report; and

WHEREAS, the report of the engineer of the board included description and recommendation as follows:

This appliance comprises a heavy galvanized cast iron body which has a tapered standard pipe thread at the bottom and a straight thread at the top with a brass screw plug to fit in. There is a recess in the top for a gasket against which the threaded cap is secured with a special wrench to make it water and gas tight and prevent tampering.

It is recommended that the Alro Fill Pipe Terminal for fuel oil be approved on condition that the appliance be installed in accordance to the Oil Burner Rules of the Board of Standards and Appeals and in accordance with certain additional requirements.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Alro Fill Pipe Terminal for use in fuel oil installations, *on condition* that the appliance shall be installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the following additional requirements:

"The fill pipe terminal shall be of cast or malleable iron not galvanized, with not less than ten machine-cut threads on the nipple end and with not less than seven on the sealcap. The sealcap shall be of brass or bronze.

The fill pipe terminal shall be provided with at least three (3) lugs on the outside, so that the fill pipe terminal can be imbedded in concrete or masonry to prevent the terminal from being loosened from the fill line or in lieu thereof, the fill pipe terminal shall be fastened to the fill line by means of an Allen or similar set screw.

The outer flange of fill pipe terminal shall be provided with letters no less than ½-inch in height and raised 1/16-inch reading "Fuel Oil" and with the calendar number under which the fill pipe terminal was submitted for approval and with BSA in smaller letters.

An oil-proof gasket shall be provided, inserted in a groove in the sealcap end of the fill pipe terminal, so that it cannot readily be removed."

MINUTES

753-38-SA.
APPLICANT—Fairfield Diesel Fuel Oil Corporation, owner.
SUBJECT—Fairfield Diesel Oil Burner—approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appliance approved in accordance with report of the engineer of the board.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—

(753-38-SA)

WHEREAS, Fairfield Diesel Fuel Oil Corporation, owner, filed August 29, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Fairfield Diesel Oil Burner; and

WHEREAS, this appliance was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board, supplemented by that of the representatives of the Division of Combustibles of the Fire Department included description and recommendation as follows:

The burner was installed in an ordinary type domestic steam heating system. The burner is of the pressure atomizing gun type and consists of the following assembly: An Ohio 1/6 H.P. motor; a Tuthill fuel fuelstat, consisting of a pump, strainer and regulating valve; a Sirocco type fan and a Monarch nozzle of a capacity of 1.35 to 3 gallons per hour.

Ignition: Electric; Jefferson transformer, 110-10,000 volts.

Controls: Minneapolis Honeywell, Protectorelay R 117-3; Pressuretrol L-104.

This burner is designed for use of numbers 1, 2 and 3 commercial grades of fuel oil.

With the oil supply shut off and a cold combustion chamber the burner was put into operation and on two successive tests the controls shut the burner down in 83 and 85 seconds respectively. The burner was then put into operation under normal conditions. During the period of the test there were no flarebacks due to faulty ignition and an examination of the combustion chamber showed no undue carbon deposits.

As a result of this inspection and test it is therefore recommended that the Fairfield-Diesel Oil Burner be approved for domestic use when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals, with fuel oil not heavier than No. 3 U. S. Department of Commerce standards.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance knowns as the Fairfield-Diesel Oil Burner, for use in domestic installations with fuel oil not heavier than No. 3 U. S. Department of Commerce standards, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and in accordance with the above report, *on condition* that the appliance shall have a label permanently affixed thereto reading:

Approved by the
Board of Standards and Appeals
For Use in New York City
Under Cal. No. 753-38-SA.

842-38-SA.
APPLICANT—Coyne and Delany Company, owner.
SUBJECT—Delany Vacuum Breaker, Model DV-88, approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appliance approved in accordance with report of committee on tests.
THE VOTE TO APPROVE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—

(842-38-SA)

WHEREAS, the Coyne and Delany Company, filed October 3, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Delany Vacuum Breaker Model DV-88, under the provisions of C.26-1277.0 A Adm. Code (14.8.2.8 BC); and

WHEREAS, this appliance was submitted to the committee on Tests of the Board for test and report; and

WHEREAS, the report of the Committee on Tests included description and recommendation as follows:

The improved testing apparatus is constructed to simulate a house riser and subjects the units in the tests to normal negative pressures such as may be created by house distribution piping. The piping simulating the riser is 54′ of 2″ diameter with 3 offsets and is equipped with a quick closing valve at its lower outlet 39′ below the elevation of the fixture tested. The maximum negative head developed on this test was the equivalent of 26½″ of mercury.

Delany Vacuum Breaker DV-88 is designed to be used in conjunction with flush valves only, and the water closet used with the valve on this test was of the siphon jet type. The flush valve was regulated for normal flow of 7 seconds duration at a rate of approximately 30 gallons per minute and a consumption volume of approximately 3½ gallons of water. The connection between the vacuum breaker and the water closet bowl was glass tubing to permit the noting of any partial vacuum which may occur. The bowl was plugged at the outlet and filled to the overflow rim with uranine colored water to simulate contamination. Upon being subjected to a vacuum the equivalent of 26½″ of mercury, no elevation of colored water was noted in the glass tubing above referred to nor was any evidence of it in the receptacle at the foot of the riser. The relief of the vacuum through the combination of flush valve and vacuum breaker was slow owing to the diaphragm of the flush valve acting partially as a check valve. The intake of air, however, could be clearly heard through the airports of the vacuum breaker.

The second test was made for the purpose of demonstrating to the assembled witnesses that siphonage would definitely occur with the airports of the vacuum breaker plugged. The plugging of the airports was accomplished with difficulty, using a wet cloth with very tight packing. When subjected to the vacuum tests under this condition, the uranine colored water was clearly observed rising through the glass tubing, definitely proving the fixture was siphonable without the relief afforded by the vacuum breaker.

Repeated flushings failed to show any evidence of water escaping from the airports.

The mechanical principle of the unit is of a buoyant circular valve closing the airports whenever water is introduced into the unit, and the valve dropping by gravitation under negative pressure conditions opening the airports to afford relief to any vacuum.

The combined airport's areas are approximately equivalent to the area of the pipe that the unit is designed to relieve. The unit operates with each flow of water from the flush valve into the bowl.

These tests indicate that this unit is efficient and satisfactory for installation for flush valve fixtures only under the requirements of Section 14.8.2.8 of the Building Code.

It is recommended that the appliance known as the Delany Vacuum Breaker, Model DV-88 be approved

for use under the provisions of C.26-1277.0 A Administrative Code, on condition that the appliance be constructed and installed in accordance with above report and have a label reading approved by the Board of Standards and Appeals for use in New York City under Cal. No. 842-38-SA.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.

CHARLES M. BLUM,
Commissioner.

LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Delany Vacuum Breaker, Model DV-88, when manufactured, installed and labelled in accordance with the above report.

MATERIALS SUBMITTED FOR APPROVAL

795-38-SM.

APPLICANT—Lehigh Portland Cement Company, owner.

SUBJECT—Lehigh Portland Cement and Lehigh Early Strength Portland Cement—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of Committee on Tests.

THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(795-38-SM)

WHEREAS, the Lehigh Portland Cement Company, owner, filed September 15, 1938, an application with the Board of Standards and Appeals for approval of Lehigh Portland Cement and Lehigh Early Strength Portland Cement; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the committee on tests was as follows:

Re: Cal. No. 795-38-SM

Subject: Approval of Lehigh Portland Cement and Lehigh Early Strength Portland Cement.

REPORT OF COMMITTEE ON TESTS

The Lehigh Portland Cement Co. of Allentown, Pa., filed with the Board on September 15, 1938, a request for the approval of the above material for use in New York City pursuant to Sec. (7.1.1.73 B.C.) C-26-312.0 A.C.

Lehigh Portland Cement and Lehigh Early Strength Portland Cement are made at the following plants of the applicant:

Alsen, N. Y.
Buffalo, N. Y.
Chapman (Fogelsville) Pa.
Fordwick, Va.
Ormrod, Pa.
Sandts' Eddy, Pa.
Union Bridge, Md.

These materials were tested in the presence of a Committee of the Board on November 4, 1938 at the applicant's Laboratory at Ormrod, Pa.

A record of the supply of raw materials filed with the application indicates that consistently homogeneous raw materials are available for at least twenty (20) years. Flow sheets have been filed indicating the method of manufacture of these products. Samples of these materials were tested in accordance with the requirements of A.S.T.M. Specifications C9-37, C74-36, C77-37, C109-377, and Federal Specifications SS-C-191a and SS-C-201.

LEHIGH PORTLAND CEMENT

RESULTS OF TESTS			REQUIREMENTS A.S.T.M. C9-37 C77-37 Not more than	REQUIREMENTS FEDERAL SS-C-191a Not more than
CHEMICAL:		As Tested		
Loss on Ignition		0.80%	4.00%	3.00%
Insoluble Residue		0.9%	0.85	0.75
Sulphuric Anhydride		1.60%	2.00	2.00
Magnesia		3.20%	5.00	5.00
Alumina		5.70%	—	7.50
Iron Oxide		2.10%	—	6.00
Tricalcium Aluminate		12.6%	—	15.00
PHYSICAL:				
Fineness (Residue on #200 Screen)		98.5%	Max. 22%	—
Specific Surface		1800	—	Min. 1500
Soundness		O.K.	Sound	Sound
Time of Set (Gilmore)				
Initial Hrs: Min.		3:20	Min. 60 min.	Min. 60 min.
Final Hrs: Min.		3:20	Max. 10 hrs.	Max. 10 hrs.
Strength (lbs. per sq. inch)				
Average of Six Specimens (Federal Spec.)		Comp. / Tension		Comp. / Tension
	3 day	1720 / 309	—	900 / 175
	7 day	3180 / 396	—	1800 / 275
	28 day	5570 / 480	—	3000 / 350
Average of Six Specimens (A.S.T.M. Spec.)	7 day	400	275	—
	28 day	490	350	—

LEHIGH EARLY STRENGTH PORTLAND CEMENT

RESULTS OF TESTS			REQUIREMENTS A.S.T.M. C74-37 C-77-37 Not more than	REQUIREMENTS FEDERAL SS-C-201 Not more than
CHEMICAL:		As Tested		
Loss of Ignition		1.10%	4.00%	3.00%
Insoluble Residue		0.9%	0.85	0.75
Sulphuric Anhydride		2.40%	2.50	2.50
Magnesia		2.90%	5.00	5.00
Alumina		5.70%	—	7.50
Iron Oxide		2.00%	—	6.00
Tricalcium Aluminate		12.7%	—	15.00
PHYSICAL:				
Fineness (Specific Surface)		2940	1900	1900
Soundness		O.K.	Sound	Sound
Time of Set (Gilmore)				
Initial (Hr.: Min.)		1150	Min. 60 min.	Min. 60 min.
Final (Hr.: Min.)		3110	Max. 10 hr.	Max. 10 hr.
Strength (lb. per sq. inch)				
Average of Six Specimens		Comp. / Tension	Comp. / Tension	Comp. / Tension
Fed. Spec.	1 day	1950 / 314	— / —	1250 / 275
SPECIMENS	3 day	3840 / 460	— / —	2500 / 375
	7 day	5640 / 534	— / —	3500 / 425
	28 day	7130 / 580	— / —	— / —
A.S.T.M. Spec.	1 day	2000 / 319	1300 / 275	— / —
SPECIMENS	3 day	4130 / 464	3000 / 375	— / —
	28 day	6800 / 538	— / —	— / —

MATERIALS USED IN TESTS

The methods used in making the test specimens were as prescribed in the respective specifications.

The cements used in these tests were from regular stock. Two bags each were drawn at the same time. One of each was used for these tests, the others submitted to the Board for its own analysis and study.

The water used was from supplies stored in the mixing rooms at a temperature of 70° F. plus or minus 2°.

The sand used was Ottawa sand, graded according to the respective specifications.

METHODS

The methods used in making the test specimens were as prescribed in the respective specifications.

The room in which the briquets were made and stored was maintained at a temperature of 70°F. plus or minus 1°. The moist closet is a copper cabinet in the constant temperature room, moisture being supplied by a fog spray from a long coil of copper tubing mounted over the cabinet. The air temperature within the cabinet varies only from 68.5° to 70° F. The water in the storage tanks varies from 68° to 70° F.

The room in which the cubes were made was maintained at a temperature of 70° F. plus or minus 2°. After molding cubes were stored as prescribed in a room at a temperature of 70° F. plus or minus 2°, with relative humidity approximately 100%. After removal of the molds, cubes were stored in clear run-

MINUTES

ning water in a tank in the curing room. The tension machine used is a Riehle.

The compression machine used is a Southwark-Emery Hydraulic Machine year 1937, capacity 90,000 lbs.

RECOMMENDATIONS

In accordance with results of these tests, the Committee recommends that Lehigh Portland Cement and Lehigh Early Strength Portland Cement be approved for use in New York City pursuant to Section 7.1.1.7.3 of the Building Code (C26-312.0 A.C.) *and copies of monthly tests of these cements be filed with the Board.*

These materials are marketed in cloth and paper bags and also in bulk. They shall have tagged, labelled or marked on each bag "Approved by the Board of Standards and Appeals under Cal. No. 795-38-SM." When marketed in bulk for use in New York City, the bills of lading shall be similarly marked.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as Lehigh Portland Cement and Lehigh Early Strength Portland Cement, when manufactured, and labelled in accordance with the above report.

Adjourned, 6:00 P. M.

EDWARD V. BARTON, Chief Clerk.

RULES

SMOKING IN FACTORIES

Adopted by the Board of Standards and Appeals, August 12, 1918.

RULE 1. PERMIT.

(a) **Prohibition.** No person shall smoke, or carry a lighted cigar or cigarette in any factory as defined in Article 1, Section 2, of the State Labor Law, nor in any portion of a factory, within the City of New York, except in such protected portions or special classes of occupancies as are specified in Rule 2 of these rules, and then only after the issuance of a permit by the administrative official.

It shall be the joint and several duty of the owner and of the lessee or lessees of the building containing such factory or factories to cause to be posted in each and every entrance hall, stair hall or room throughout the building, as well as in every elevator-car, in English, and also in such other language or languages as the administrative official shall direct, a notice of such prohibition, and the penalty for its violation.

(b) **Application.** Application for such permit shall be made only by the owner of the building on suitable blank forms to be furnished by the administrative official.

(c) **Time Limit.** Such permit shall be for a definite period, not exceeding one year, and shall not be renewed upon expiration until a reinspection of the premises for which it is issued has been made for the purpose of determining whether existing conditions warrant a renewal.

(d) **Conditions.** The permit shall state the conditions under which, the hours between which, and the place or places in such factory where smoking may be permitted, and this permit shall be framed and kept posted in a conspicuous place in the factory.

(e) **Revocation.** Violation of any of the conditions specified in the permit, in addition to incurring such penalties as are prescribed by law, shall be full and sufficient cause for the revocation of such permit by the administrative official, and he shall not again issue a permit for the same premises until at least one year has elapsed.

RULE 2. PERMISSIBLE CASES.

Smoking may be permitted in:—

(a) Factories engaged in the manufacture of cigars, cigarettes, or smoking tobacco, when necessary for the efficient conduct of the business, provided that:

(1) No smoking other than that for sampling, testing and experimental purposes is carried on.

(2) Such smoking is conducted in a room provided especially for that purpose, separated from the rest of the building by fireproof or fire-resisting partitions, with all openings therein protected by self-closing fire doors, and, further, unless the building is of fireproof construction or equipped with an approved automatic sprinkler system, the floor and ceiling of such room shall be covered with fire-retarding material.

(3) Such chemical fire extinguishers as the administrative official may direct are installed.

(4) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

(b) Factories devoted entirely to one of the following occupancies:

Blacksmithing or horseshoeing;
Boiler making;
Brick, terra cotta or artificial stone works;
Forge shops;
Foundries;
Iron, steel, brass or copper works;
Machine shops;
Smelting;
Stone or monumental works;

provided that in any case:

(1) The building is not of wooden construction;

(2) Such chemical fire extinguishers as the administrative official may direct are installed;

(3) All waste paper and other inflammable waste materials are deposited in fireproof receptacles.

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

RULES

FIRE RETARDING RULES FOR GARAGES, ETC.

Adopted by the Board of Standards and Appeals Aug. 30, 1917; Amended Nov. 1, 1917, and Feb. 3, 1922.

Rule 1. Fire Retarding Materials for Garages, Motor Vehicle Repair Shops and Oil Selling Stations. In garages, motor vehicle repair shops and oil selling stations any material or form of construction shall be deemed fire-retarding within the meaning of §73, subdivision 3, of the building code, that resists the action of flame and heat when subjected to a continuous fire for one hour at an average temperature of seventeen hundred (1700) degrees Fahrenheit without the passage of flame, and with a maximum temperature rise to four hundred (400) degrees Fahrenheit on the side away from the fire. The point at which the temperature of transmitted heat is measured shall be protected from external air and weather conditions.

When the test specimen is in the form of partition construction, the area under test shall be not less than one hundred (100) square feet and least dimension shall be not less than nine (9) feet. When in the form of floor construction, the area under test shall be not less than two hundred (200) square feet and the least dimension shall be not less than fourteen (14) feet.

During the fire, the floor construction shall support the live load for which it is designed, and after the fire shall safely sustain twice the designed live load with a maximum deflection of not more than one two-hundredth (1/200) part of the span.

Rule 2. Wood Joisted Floor Construction. Wood jointed floor construction shall be accepted as fire-retarding construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations when the beams are protected on the upper and under sides with the fire-retarding materials specified in rules for floor and ceiling coverings.

Rule 3. Floor Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the upper sides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations.

(a) Seven-eighths (⅞) inch wood underflooring protected with a membrane of two-ply waterproofing covered with not less than two and one-half (2½) inches of 1:2½:5 concrete or better, reinforced with not less than one-fourth (¼) of one (1) per cent of steel mesh;

(b) Two and one-half (2½) inches of 1:2:4 concrete applied directly to the top of the joists, with or without temporary support, reinforced with not less than one-fourth of one per cent steel rods, mesh or steel lath, and having the tops of the joists coated with approved waterproof paint or protected by tar paper on the top and on the sides for a distance of three inches from the top.

Rule 4. Ceiling Covering. Any one of the following forms of construction shall be accepted as fire-retarding for the covering of the undersides of wood floor beams in joisted floor construction in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations:

(a) One-half (½) inch plaster boards, or three-eighths (⅜) inch gypsum wall boards weighing not less than 16 pounds per square yard with pointed joints covered with No. 26 U. S. gauge sheet metal with one (1) inch lapped seams nailed to the wood beams when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are spaced more than sixteen (16) inches on centers;

(b) Two thicknesses of one-quarter (¼) inch asbestos board laid with tight staggered joints and nailed to the beams, when spaced not more than sixteen (16) inches on centers, or nailed to furring strips when the floor beams are more than sixteen (16) inches on centers;

(c) Metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) inch thick.

Rule 5. Attachment to Ceiling. Fire-retarding ceilings in non-fireproof buildings used as garages, motor vehicle repair shops or oil selling stations shall be attached to wood floor beams and girders in such manner as to maintain an air space between the wood beams and all wood beams shall be seasoned before applying the protective coat.

Rule 6. Openings in Fire-Retarding Floors. Pipes or conduits which pass through floors shall be fitted with metal thimbles and made watertight for a height of three (3) inches above the floor.

Rule 7. Columns. All structural posts and columns in non-fireproof buildings required to be fire-retarded shall be protected with fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials accepted in fireproof construction; except that an air space shall not be required around steel or cast iron columns.

Where necessary for protection against mechanical injury, the fire-retarding protection on columns shall be jacketed to a height of five (5) feet from the ground with No. 4 U. S. gauge metal.

Rule 8. Girders. All girders in non-fireproof buildings required to be fire-retarded shall be protected with the fire-retarding materials specified for ceiling coverings in these rules, or with any of the materials acceptable in fireproof construction; except that an air space need not be provided around steel girders.

Rule 9. Shaft Enclosures. Existing stairways and vertical shafts in non-fireproof business buildings hereafter converted to be used as garages, motor vehicle repair shops or oil selling stations shall be enclosed in fire-retarding partitions continued through the non-fireproof floor construction, and when unfilled wood stud partitions are used, the space between the floor beams shall be fire-stopped with incombustible materials. All openings in such partitions shall be protected with accepted metal-covered fire doors or windows. Wherever necessary for protection against mechanical injury, the partition shall be jacketed to a height of five (5) feet on the garage side with No. 4 U. S. gauge metal. Any one of the following forms of partitions shall be accepted for the enclosure:

(a) Two by four inch wood studs, spaced not more than sixteen (16) inches on centers, covered both sides with metal lath weighing not less than three pounds per square yard, attached to furring strips and plastered with Portland cement mortar at least three-quarters (¾) of an inch thick;

(b) Two by four inch wood studs placed not more than sixteen (16) inches on centers, covered both sides with seven-eighths (⅞) inch wood sheathing, one-half (½) inch plaster boards with pointed joints and No. 26 U. S. gauge sheet metal with one-inch lapped seams;

(c) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, covered both sides with seven-eighths (⅞) inch wood sheathing, two thicknesses of one-quarter (¼) inch asbestos boards laid with tight staggered joints and jacketed with No. 16 U. S. gauge metal on the garage side to a height of five (5) feet;

(d) Two by four inch wood studs spaced not more than sixteen (16) inches on centers, filled in solidly between the studs with four inches of approved fireproof materials and covered on both sides with No. 26 U. S. gauge metal;

(e) Existing wood stud, lath and plaster partitions covered on the garage side with No. 26 U. S. gauge sheet metal with one inch lapped seams.

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BULLETIN

OF THE

BOARD OF STANDARDS AND APPEALS

CITY OF NEW YORK

Issued under authority of Chapter 27, Section 665 of the Charter of the City of New York.

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DIRECTORY

BOARD OF STANDARDS AND APPEALS

HARRIS H. MURDOCK, Chairman

BERNARD A. SAVAGE

CHARLES M. BLUM

CHIEF JOHN J. McELLIGOTT

EDWARD V. BARTON, *Chief Clerk*

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Address all communications to the Chairman.

CONTENTS

This issue of the Bulletin contains, in the order given—

Docket.

Court Decision.

Rules Directory.

The Hearing Calendar.

Minutes of Regular Meeting, December 20, 1938, at 10 A. M., Affecting Calendar Numbers 177-27-BZ, 418-37-BZ, 877-38-BZ, 888-38-BZ, 275-38-BZ, 436-38-BZ, 542-38-BZ, 557-38-BZ, 887-38-BZ, 958-38-BZ and 366-36-BZ.

Minutes of Regular Meeting, December 20, 1938, at 2 P. M., Affecting Calendar Numbers 592-24-BZ, 229-34-BZ, 274-36-BZ, 573-37-BZ, 676-38-BZ, 345-36-BZ, 245-37-BZ, 708-38-BZ, 713-28-BZ, 1009-38-A, 1095-38-A, 1096-38-A, 1114-38-A, 1121-38-A, 1122-38-A, 1123-38-A, 1124-38-A, 1125-38-A, 1130-38-A, 1142-38-A-WF, 1155-38-A, 1157-38-A, 1164-38-A, 1165-38-A, 1167-38-A, 1170-38-A, 1172-38-A, 1140-38-A, 31-38-A-WF, 1089-38-A, 1107-38-A, 1139-38-A, 1141-38-A, 1145-38-A-WF, 1146-38-A-WF, 1150-38-A, 1151-38-A, 1153-38-A, 1158-38-A, 1160-38-A, 1163-38-A, 1166-38-A, 1168-38-A, 488-37-A, 1156-38-S, 797-38-S, 547-38-SA, 998-38-SA, 792-38-SM, 871-38-SM and 989-38-SM.

Corrections Affecting Calendar Numbers 1350-27-BZ, 39-34-BZ, 114-36-BZ, 795-38-SM and 820-38-SM.

Rules for Interior Fire Alarm Signal Systems.

PUBLIC HEARINGS

Tuesdays, at 10 a. m. and 2 p. m.

Special meetings as published in this Bulletin.

All hearings are held in Room 1013, Municipal Building, Borough of Manhattan.

HOURS FOR CONSULTATION

10 A. M. to 1 P. M.

Any person desiring to consult the chairman or the engineers, pertaining to the work of the board, will be seen only between the hours of ten in the morning and one in the afternoon—Saturdays excepted.

NOTICE TO APPELLANTS AND APPLICANTS

No appeal or application will be entertained in connection with which court proceedings are pending or in progress, unless exception is granted by the chairman, nor accepted which is not filed within thirty days from the date of the action of the Administrative Official.

Any communication purporting to be an appeal or application shall be regarded as a mere notice of intention to seek relief until it is filed on the form required by the rules of this board.

Upon receipt of any such communication the writer will be supplied with the official forms for presenting his appeal or application.

At the time of filing an appeal or application, the appellant or applicant shall forward a signed notice of appeal addressed to the administrative official (either commissioner of buildings or fire commissioner) and file with this board a duplicate of said notice.

Appellants and applicants are advised that their plans must indicate the points of the compass so as to establish the true location and position of the property, the subject of the appeal or application.

Appeals and applications will be simplified and disposition of same expedited by conforming to these directions.

HARRIS H. MURDOCK, *Chairman.*

CALENDAR

DOCKET

New Cases Filed up to December 20, 1938

Cal. No. *Department* *Premises Affected*

1163-38-A.....H.B.M.....208 West 42nd street, south side, 80 ft. west of Seventh avenue (Block 1013, Lot 137), Borough of Manhattan, Alt. 3404-38.

1164-38-A.....F.D.....44-02 11th street, west side from 44th road to 44th avenue (Block 449, Lot 13), Long Island City, Borough of Queens, 77235-C.

1165-38-A.....H.B.Bx.....1815 Morris avenue, northwest corner of Henwood place (Block 2826, Lots 32, 32¼, 32½ and 33), Borough of The Bronx, Alt. 185-38.

1166-38-A.....H.B.B.....325 East 16th street, west side, 333 ft. 7 in. north of Cortelyou road (Block 5147, Lot 55), Borough of Brooklyn, Applic. 17539-38.

1167-38-A.....H.B.B.....267-273 South Fourth street and 130 Marcy avenue, northwest corner (Block 2434, Lots 207 to 210 and part of Lots 213 and 214), Borough of Brooklyn, Alt. 18474-38.

1168-38-A.....H.B.B.....81 Livingston street, north side, 52 ft. east of Court street (Block 266, Lot 4), Borough of Brooklyn, Applic. 18283-38.

1169-38-SM.....Kimsul Expanding Building Insulation, manufactured by Kimberly-Clark Corporation, Material.

1170-38-A.....H.B.B.....770 Eastern parkway, north side, 90 ft. west of Kingston avenue (Block 1271, Lots 31 and 34), Borough of Brooklyn, Applic. 18455-38

1171-38-BZ.....H.B.Q.....150-01 to 150-09 Horace Harding boulevard and 60-09 to 60-15 150th street, northeast corner (Block 6436, Lot 41), Flushing, Borough of Queens, Applic. 9290-38.

1172-38-A.....H.B.B.....1520-1524 Bushwick avenue, south side, 50 ft. west of Aberdeen street (Block 3466, Lots 36 and 37), Borough of Brooklyn, Alt. 15963-38.

1173-38-BZ.....H.B.Q.....Northeast corner of Metropolitan avenue and Dry Harbor road (Block 3071, Lot 1), Middle Village, Borough of Queens, Alt. 7827-38.

1174-38-BZ.....H.B.M.....421-427 West 53rd street, north side, 300 ft. west of Ninth avenue (Block 1063, Lots 17-20 inclusive), Borough of Manhattan, Decision.

1175-38-S.....H.B.Q.....10-33 44th road and west side of 11th street from 44th road to 44th avenue (Block 449, Lot 13), Long Island City, Borough of Queens, Viol. 1243-38 and Decision.

1176-38-SM.....Brixment, manufactured by Louisville Cement Company, Material.

1177-38-BZ.....H.B.Q.....71-14 and 71-16 73rd place (4654 Proctor street), west side, 123 ft. 6½ in. south of Central avenue (Block 3691 (2687 old), Lot 9 and part of Lot 5), Glendale, Borough of Queens, Alt. 6568-38.

1178-38-BZ.....H.B.Bx.....3548-3552 Jerome avenue, east side, 50 ft. south of East 212th street (Block 3328, Lots 28 and 29), Borough of The Bronx, F. P. Applic. 558-38.

1179-38-BZ.....H.B.M.....550 West 167th street, south side, from St. Nicholas avenue to Audubon avenue, 28-34 Audubon avenue and 1140 St. Nicholas avenue (Block 2124, Lot 17), Borough of Manhattan, Decision re: Zone Viol. 85-37.

1180-38-BZ.....H.B.Bx.....1215 Prospect avenue, west side, 250 ft. north of East 167th street (Block 2680, Lot 50), Borough of The Bronx, Decision.

1181-38-BZ.....H.B.M.....203-207 West 95th street, north side, 86 ft. west of Amsterdam avenue (Block 1243, Lots 129, 130 and 131), Borough of Manhattan, Decision.

1182-38-A.....H.B.R.....25 Knox place, north side, 430 ft. east of Slosson avenue, (Block 329, Lot 86), Borough of Richmond, N. B. 500-38.

1183-38-A.....H.B.B.....325 Knickerbocker avenue, east side, 75 ft. south of Hart street (Block 3236, Lot 5), Borough of Brooklyn, E. S. Applic. 17642-38.

1184-38-BZ.....H.B.M.....217 and rear of 219 West 58th street, north side, 215 ft. west of Seventh avenue (Block 1030, Lot 22), Borough of Manhattan, Decision.

1185-38-SA.....Derby Heat Actuated Automatic Door Check and Closer, Appliance.

1186-38-BZ.....H.B.M.....351-353 First avenue, west side, 78 ft. south of East 21st street (Block 926, Lots 37 and 38), Borough of Manhattan, N.B. 141-38.

CALENDAR

1187-38-SM.....Rose Self-Furring Unit, manufactured by Joseph Rose, Material.

1188-38-A.....H.B.B.....134-138 Hinsdale street, west side, 100 ft. south of Glenmore avenue (Block 3715, Lot 21), Borough of Brooklyn, Applic. 17291-38.

Restored to Calendar

274-36-BZ.....H.B.Q.....72-40 to 72-50 Elizabeth avenue, north side (Block 520, Lots 10, 13, 69, 74 and 75), Arverne, Borough of Queens, Applic. 6944-36.

229-34-BZ....H.B.Bx.....531-535 East Fordham road, northeast corner of Bathgate avenue (Block 3273, Lots 305 and 307), Borough of The Bronx, N.B. 177-34.

592-24-BZ.....H.B.B.....240-250 Empire boulevard, southwest corner of Rogers avenue (Block 1314, Lot 44), Borough of Brooklyn, Applic. 7907-24.

DESIGNATIONS: H.B.—Department of Housing and Buildings; H.B.B.—Department of Housing and Buildings, Brooklyn; H.B.M.—Department of Housing and Buildings, Manhattan; H.B.Q.—Department of Housing and Buildings, Queens; H.B.R.—Department of Housing and Buildings, Richmond; H.B.Bx.—Department of Housing and Buildings, Bronx; H.D.—Health Department and F.D.—Fire Department.

COURT DECISION

Isidor Weiner ap., vs. Leroco Realty Corporation, res.—Action against owner of building at 2304 Amsterdam avenue, for injury of tenant due to falling on defective step, was dismissed in Supreme Court and that action upheld by the Appellate Division, on the ground that the entire multiple dwelling had been leased for a period of years by owner to another person. The Court of Appeals, by decision of November 29, 1938 (N.Y.L.J. Dec. 27, 1938) reversed said decisions unanimously and stated in part:

"It may be that the lessee of the whole house, as well as the owner, is bound to keep the premises in repair. However this may be, the owner does not escape liability by making a lease."

RULES

	Last Publication in Bulletin
Carbon Dioxide Liquefier Rules	Nov. 15, 1938—Vol. 23, No. 46
Certificate of Occupancy, approved form	Aug. 23, 1938—Vol. 23, No. 34
Concrete Flat Slabs, Rules	July 13, 1937—Vol. 22, No. 28
Concrete Rules (Hydrated Lime)	Aug. 3, 1937—Vol. 22, No. 31
Elevator Rules	Mar. 3, 1936—Vol. 21, No. 9
Exit Rules (Revolving Doors)	June 15, 1937—Vol. 22, No. 24
Factory Exit Rules	Dec. 13, 1938—Vol. 23, No. 50
Fire Alarm Rules (Interior)	Dec. 27, 1938—Vol. 23, No. 52
Fire Drill Rules	Nov. 22, 1938—Vol. 23, No. 47
Fire Retarding Rules for Garages, etc.	Dec. 20, 1938—Vol. 23, No. 51
Fireproof Wood, Testing of	Apr. 13, 1937—Vol. 22, No. 15
Frame Garages, Ruling for	Jan. 21, 1919—Vol. 4, No. 3
Fusion Welding and Gas Cutting Rules	Nov. 1, 1938—Vol. 23, No. 44
Gas Shut-Off Rules	Apr. 7, 1925—Vol. 10, No. 14
Hatchway Protection	June 5, 1928—Vol. 13, No. 23
Oil Burner Rules	Nov. 8, 1938—Vol. 23, No. 45
Paint, Varnish and Lacquer Spraying Rules	Sept. 13, 1938—Vol. 23, No. 37
Platform Trucks, Specifications for	Nov. 24, 1936—Vol. 21, No. 47
Plumbing Rules	Aug. 3, 1937—Vol. 22, No. 31
Procedure, Rules of	Sept. 7, 1937—Vol. 22, No. 36
Refrigerating Systems, Extract A.C.	Dec. 6, 1938—Vol. 23, No. 49
Smoking in Factories, Rules for	Dec. 20, 1938—Vol. 23, No. 51
Sprinkler Rules	June 29, 1937—Vol. 22, No. 26
Standpipe Fireline Rules	June 8, 1937—Vol. 22, No. 23
Structural Alterations, Reporting	June 7, 1932—Vol. 17, No. 23
Tank Trucks, Fuel Oil, etc.	Nov. 24, 1936—Vol. 21, No. 47
Tank Trucks, Gasoline, etc.	Nov. 24, 1936—Vol. 21, No. 47
Wire Glass Rules (Amendment to Rule 505 of Industrial Code)	Apr. 10, 1923—Vol. 8, No. 15

LIST OF APPROVED APPLIANCES

Anti-Siphon Valves	Mar. 5, 1935—Vol. 20, No. 10
Fireline Hose Valves	Nov. 8, 1938—Vol. 23, No. 45
Fuel Oil Burners for Domestic and Commercial Use	Aug. 30, 1938—Vol. 23, No. 35
Fuel Oil Fill Pipe Terminals	Nov. 1, 1938—Vol. 23, No. 44
Fuel Oil Burners for Industrial Use	Aug. 30, 1938—Vol. 23, No. 35
Fuel Oil Pumps	Nov. 8, 1938—Vol. 23, No. 45
Paint, Varnish and Lacquer Spraying Equipment	Sept. 13, 1938—Vol. 23, No. 37
Range Oil Burners and Space Heaters	Aug. 9, 1938—Vol. 23, No. 32

JANUARY 4, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday morning, January* 4, 1939, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 489-38-BZ—Application, June 14, 1938, under section 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Sam Schwartz and Joseph Schwartz, owners, to permit in a residence use district the erection and maintenance of a gasoline service station; premises 219-01 North Conduit boulevard and 144-01 to 144-09 Springfield boulevard (Block No. 3820, Lot No. 4), Springfield Gardens, Borough of Queens.

CAL. NO. 95-38-BZ—Application, February 16, 1938, under section 7h of the building zone resolution, of Manufacturers Trust Company, as applicant and trustee, on behalf of R. L. Arcade Co., Inc., owner (William Bartinek, lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 136-28 to 136-38 39th avenue, south side, 262.60 ft. east of Main street (Block No. 4980, Lot No. 14), Flushing, Borough of Queens.

CAL. NO. 390-37-BZ—Application, August 4, 1937, under sections 7h and 21 of the building zone resolution, of Aaron A. Roth, applicant, on behalf of George M. Thomson, owner (Joseph Beyer, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 50-02 Skillman avenue, south side, between 50th street and 51st street (Block No. 131, Lot No. 17), Long Island City, Borough of Queens.

CAL. NO. 729-38-BZ—Application, August 22, 1938, under sections 7c and 21 of the building zone resolution, of Joseph B. Lynch, applicant, on behalf of Talbo Gasoline Company, Inc., owner (Colonial Beacon Oil

CALENDAR

Co., Inc., lessee), to permit in a business use district the extension of an existing gasoline service station; 3150-3158 Boston road, southeast corner of Laconia avenue (Block No. 4614, Lot No. 9), Borough of The Bronx.

CAL. NO. 755-38-BZ—Application, August 30, 1938, under section 7h of the building zone resolution, of Joseph Glicker, applicant and lessee, on behalf of Bankers Trust Co., as trustees of Keith W. Morris and Louis H. Morris, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 890 Dawson street and 935 Intervale avenue, southwest corner (Block No. 2702, Lot No. 41), Borough of The Bronx.

CAL. NO. 1010-38-BZ—Application, November 9, 1938, under section 21 of the building zone resolution, of Samuel Rosenblum, applicant, on behalf of Excelsior Savings Bank, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises east side of Jerome avenue, 96 ft. south of East 184th street (Block No. 3187, Lot No. 21), Borough of The Bronx.

CAL. NO. 999-38-BZ—Application, November 7, 1938, under sections 21 and 7b of the building zone resolution, of Abram Shlefstein, applicant, on behalf of Duam Realty Holding Co., Inc., owner (Jack Goldstein, lessee), to permit partly in a business use district and partly in a residence use district the extension of a gasoline service station; premises 219-25 Merrick boulevard, northwest corner of 220th street (Block No. 3541, Lot No. 114), Springfield, Borough of Queens.

CAL. NO. 830-38-BZ—Application, September 29, 1938, under sections 7a and 21 of the building zone resolution, of Koch and Wagner, applicants, on behalf of Louis Lachter, owner (H. C. Bohack Co., Inc., lessee), to permit partly in a business use district and partly in a residence use district, the erection and maintenance of an auto laundry on an existing gasoline service station; premises 61-52 to 61-64 Woodhaven boulevard and 61-09 to 61-21 Dry Harbor road, southwest corner (Block No. 2950, part of Lot No. 1), Elmhurst, Borough of Queens.

CAL. NO. 403-37-BZ—Application August 12, 1937, under section 7h of the building zone resolution of Max Silver, lessee, on behalf of Reproduction Furniture Manufacturing Co., Inc., owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 507-511 Sheffield avenue, east side, 40 ft. south of Livonia avenue (Block No. 3822, part of Lot No. 18), Borough of Brooklyn.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 4, 1939, 2 P. M.

Appeals from Administrative Orders

1130-38-A—90 Wythe avenue, southwest corner of North 11th street (Block No. 2295, Lot No. 18), Borough of Brooklyn.

1172-38-A—1520-1524 Bushwick avenue, south side, 50 ft. west of Aberdeen street (Block No. 3466, Lot Nos. 36 and 37), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Wednesday afternoon, January* 4, 1939, at 2 o'clock, in Room 1013, Municipal Building, on the following matters, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 538-37-BZ—Application, November 15, 1937, under section 7h of the building zone resolution, of Nicholas Yannaco, applicant, on behalf of W. H. Flattau & Son, owners, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 501 West 185th street, northwest corner of Amsterdam avenue (Block No. 2156, Lot No. 56), Borough of Manhattan.

CAL. NO. 803-38-BZ—Application, September 20, 1938, under section 7h of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Estate of Leopold Rossbach, owner (Laurence B. Rossbach, trustee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3901-3911 White Plains avenue, northwest corner of East 222nd street (Block No. 4824, Lot Nos. 4 and 7), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 10, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January* 10, 1939, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 740-38-BZ—Application, August 24, 1938, under section 21 of the building zone resolution, of Sutta and Frankel, applicants, on behalf of Janice H. Devore, owner, to permit in a residence use district the erection and maintenance of a gasoline service station and, also, an accessory building to be used as auto laundry, lubritorium and office; premises 1940-1960 Linden boulevard, south side, from Pennsylvania avenue to New Jersey avenue, 785-795 Pennsylvania avenue and 848-858 New Jersey avenue

CALENDAR

(Block No. 4347, part of Lot No. 1), Borough of Brooklyn.

CAL. NO. 454-37-BZ—Application, September 22, 1937, under sections 7h and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Mary A. Breslin and Elsie F. Breslin, owners (Joseph Pagano, lessee), to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 9105-9115 3rd avenue, east side, 31 ft. ¼ in. south of 91st street and 310-320 91st street (Block No. 6086, Lot No. 6), Borough of Brooklyn.

CAL. NO. 569-37-BZ—Application, December 2, 1937, under sections 7c and 21 of the building zone resolution, of Lama and Proskauer, applicants, on behalf of Sophie Galumbeck, owner (Flatbush Coal and Coke Corporation, lessee), to permit in a residence district the operation of coal pockets, coal storage, truck driveway and railroad siding; premises 2030-2044 McDonald avenue, west side, 339 ft. 6 in. north of Avenue S and 49-57 Lake street (Block No. 6680, Lot Nos. 23, 124 and 125), Borough of Brooklyn.

CAL. NO. 858-38-BZ—Application, October 6, 1938, under section 7h of the building zone resolution, of W. H. and J. F. Dusenbury, applicants, on behalf of Margaret Demuth, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 3513-3515 Jerome avenue, west side, 180.44 ft. south of Gun Hill road (Block No. 3324-B, Lot No. 142), Borough of The Bronx.

CAL. NO. 984-38-BZ—Application, November 4, 1938, under sections 7b and 21 of the building zone resolution, of Boak and Paris, Inc., applicant, on behalf of Guide Realty Company, owner, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a business building (motion picture theatre and stores) and, also, the omission of the required rear yard; premises 3611-3621 Riverdale avenue, west side, 94.7 ft. north of West 236th street (Block No. 3416, Lot No. 162), Borough of The Bronx.

CAL. NO. 824-38-BZ—Application, September 27, 1938, under sections 7c and 21 of the building zone resolution, of Charles O. Heyt, applicant, on behalf of John D. Rockefeller, Jr., owner, to permit partly in a restricted retail use district and partly in a residence use district and also, partly in a one and one-quarter (1¼) times height district and partly in a one and one-half (1½) times height district the erection and maintenance of a business building; a portion of the street walls of said building exceeding the height permitted by the building zone resolution; premises 668-670 Fifth avenue and 2-6 West 53rd street, southwest corner (Block No. 1268, Lot Nos. 40 to 44, inclusive), Borough of Manhattan.

CAL. NO. 94-38-BZ—Application, February 16, 1938, under section 7h of the building zone resolution, of Arthur W. Renander, applicant, on behalf of Jeho Co., Inc., owner (Jamaica Parking Co., Inc., lessee), to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 89-02 to 89-12 166th street, southwest corner of 89th avenue (Block No. 866, Lot No. 72), Jamaica, Borough of Queens.

CAL. NO. 573-37-BZ—Application, December 3, 1937, under sections 7h and 21 of the building zone resolution, of Herman Kron, applicant, on behalf of Mutual Life Insurance Co. of New York, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of not more than five (5) motor vehicles; premises 158-176 Columbus avenue, 101 West 67th street, 100 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 10, 1939, 2 P. M.

Appeals from Administrative Orders

964-38-A—6 Chatham square, west side, 94 ft. 9 in. north of Mott street (Block No. 162, Lot No. 41), Borough of Manhattan.

912-38-A—407-411 Oakland street, west side, 25 ft. north of Clay street (Block No. 2483, Lot No. 37), Borough of Brooklyn.

1118-38-A—59-83 59th street, east side, 272.6 ft. south of 59th drive (Block No. 2649, Lot No. 135), Maspeth, Borough of Queens.

1095-38-A—1680 Broadway, east side, 60 ft. north of West 52nd street and 808 Seventh avenue (Block No. 1024, Lot No. 38), Borough of Manhattan.

1114-38-A—41-01 to 41-16 12th street, super block bounded by 41st avenue, 21st street, Bridge Plaza north and 12th street (Block No. 463, Lot No. 182 and Block No. 464, Lot No. 114), Long Island City, Borough of Queens.

1121-38-A—12-02 to 12-32 40th avenue, super block bounded by 40th avenue, 21st street, 41st avenue and 12th street (Block No. 467, Lot Nos. 510 and 544 and Block No. 468, Lot No. 457), Long Island City, Borough of Queens.

1122-38-A—10-02 to 10-30 40th avenue, super block bounded by 40th avenue, 12th street, 41st avenue and 10th street (Block No. 469, Lot No. 415 and Block No. 470, Lot No. 375), Long Island City, Borough of Queens.

CALENDAR

1123-38-A—10-02 to 10-30 41st avenue, super block bounded by 41st avenue, 12th street, a proposed street (41st road) and 10th street (Block No. 465, Lot No. 35 and Block No. 466, Lot No. 35), Long Island City, Borough of Queens.

1124-38-A—8-02 to 8-32 40th avenue, super block bounded by 40th avenue, 10th street, 41st avenue and Vernon boulevard (Block No. 478, Lot Nos. 1, 22 to 27 inclusive and Block No. 479, Lot No. 1), Long Island City, Borough of Queens.

1125-38-A—8-02 to 8-36 41st avenue, super block bounded by 41st avenue, 10th street, Bridge Plaza North and Vernon boulevard (Block No. 480, Lot No. 1 and Block No. 481, Lot Nos. 1 to 7, inclusive, 8, 12, 16, 36, 55 and 63), Long Island City, Borough of Queens.

1155-38-A—1049-1065 Rockaway avenue, east side, 32 ft. 7 in. south of Linden boulevard (Block No. 3644A, Lot No. 4), Borough of Brooklyn.

1157-38-A—142 East 34th street, south side, 115 ft. east of Lexington avenue (Block No. 889, Lot No. 60), Borough of Manhattan.

1164-38-A—44-02 11th street, west side, from 44th road to 44th avenue (Block No. 449, Lot No. 13), Long Island City, Borough of Queens.

1165-38-A—1815 Morris avenue, northwest corner of Henwood place (Block No. 2826, Lot Nos. 32, 32¼, 32½ and 33), Borough of The Bronx.

1167-38-A—267-273 South 4th street, 130 Marcy avenue, northwest corner (Block No. 2434, Lot Nos. 207 to 210, inclusive and part of Lot Nos. 213 and 214), Borough of Brooklyn.

1170-38-A—770-778 Eastern parkway, south side, 90 ft. west of Kingston avenue (Block No. 1271, Lot Nos. 31 and 34), Borough of Brooklyn.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January* 10, 1939, at 2 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 307-33-BZ—Application of Samuel Gilbert, applicant, on behalf of 1758 Realty Co., Inc., owner, reopened December 6, 1938 for consideration as to extension of permit —re Application, previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district the alteration and change of occupancy of an existing building to a motor vehicle repair shop for a temporary period; premises 1758-1766 Coney Island avenue, west side, 220 ft. south of Avenue N (Block No. 6592, Lot No. 18), Borough of Brooklyn.

CAL. NO. 877-38-BZ—Application, October 13, 1938, under section 21 of the building zone resolution, of George A. Bagge, Jr., applicant, on behalf of Grandboro Realty Corporation, owner, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use; premises 2327 Grand Concourse, west side, 247 ft. north of East 183rd street (Block No. 3164, Lot No. 24), Borough of The Bronx.

CAL. NO. 888-38-BZ—Application, October 11, 1938, under sections 7a and 21 of the building zone resolution, of Abraham Farber, applicant, on behalf of Anchor Laundry of Brooklyn, Inc., owner, to permit in a residence use, and "C" area district, the alteration, extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles, and, also, the omission of the required rear yard; premises 467-473 Prospect avenue, north side, 151 ft. 4 in. west of Prospect Park West (Block No. 1113, Lot No. 62), Borough of Brooklyn.

CAL. NO. 229-34-BZ—Application of Edgar J. Moeller, applicant, on behalf of John McCluskey, owner, reopened December 20, 1938, for consideration as to extension of time to complete work—time having expired by limitation—re Application previously granted on condition under section 21 of the building zone resolution, permitting in a business use district, the erection and maintenance of a repair shop for motor vehicles in connection with automobile sales building; premises 531-535 East Fordham road, northeast corner of Bathgate avenue (Block No. 3273, Lot Nos. 305 and 307), Borough of The Bronx.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 17, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January* 17, 1939, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 738-38-BZ—Application, August 23, 1938, under sections 7a and 21 of the building zone resolution, of Bernard Trencher, applicant, on behalf of Mary T. Hasselman and Anastasia L. Bartley, owners (Socony-Vacuum Oil Company, Inc., lessee), to permit in a residence use district the extension of a gasoline service station and the erection and maintenance of a building to be used as a gasoline service station office, lubritory, auto laundry and for the sale of accessories; premises 1815-1825 Ocean avenue, east side, 280 ft. south of Avenue M (Block No. 7656, Lot No. 55 and part of Lot Nos. 51, 54 and 58), Borough of Brooklyn.

CAL. NO. 103-38-BZ—Application, February 15, 1938, under sections 7h and 21 of the building zone resolution, of Sherman S. Rogers, applicant, on behalf of Frank L. Weil, William E. Russell and Raymond J. Scully, trustees of Series C-2, New York Title & Mortgage Co., owner, to permit in a residence use district, for a temporary period of not more than

two (2) years, the parking and storage of more than five (5) motor vehicles; premises 42-46 Sutton place south, east side, from East 54th street to East 55th street, 425-457 East 54th street and 418-432 East 55th street (Block No. 1366, Lot Nos. 16 and 19 and part of Lot No. 33), Borough of Manhattan.

CAL. NO. 921-38-BZ—Application, October 25, 1938, under section 21 of the building zone resolution, of Joseph V. Iaricci, applicant, on behalf of Joseph P. Kissling, owner, to permit in a business use district the erection and maintenance of a gasoline service station; premises 110-40 Horace Harding boulevard (Nassau boulevard), southwest corner of Colonial avenue (Block No. 2161, Lot Nos. 115 and 118), Corona, Borough of Queens.

CAL. NO. 1127-38-BZ—Application, December 5, 1938, under sections 7c and 21 of the building zone resolution, of Samuel J. Kessler, applicant, on behalf of M. A. H. Holding Corporation, owner, to permit partly in a business use district and partly in an unrestricted use district the alteration and conversion of occupancy of two (2) buildings to a garage for more than five (5) motor vehicles; the existing building is occupied as a garage for more than five (5) motor vehicles and was previously granted by the board and the westerly building is occupied as a dyeing plant also, previously granted by the board; premises 2201-2227 Neptune avenue, north side, between West 22nd street and West 23rd street (Block No. 6990, Lot No. 26), Borough of Brooklyn.

CAL. NO. 840-38-BZ—Application, October 3, 1938, under section 7h of the building zone resolution, of Francis L. Shea, applicant, on behalf of The Trustees of the Sailors Snug Harbor, owner (Gertrude I. Bergoff, lessee), to permit partly in a business use district and partly in an unrestricted use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 52-58 East 8th street and 305 Mercer street, southwest corner (Block No. 548, Lot Nos. 32 to 35, inclusive), Borough of Manhattan.

CAL. NO. 992-38-BZ—Application, November 5, 1938, under sections 7c and 21 of the building zone resolution, of Joseph M. Lonergan, applicant, on behalf of Fargo Realty Corporation, owner, to permit partly in a business use district and partly in an unrestricted use district the erection and maintenance of a gasoline service station; premises 1062-1066 Swinton avenue and 2800-2810 Eastern boulevard, southeast corner (Block No. 5534, part of Lot No. 1), Borough of The Bronx.

CAL. NO. 1051-38-BZ—Application, November 22, 1938, under section 21 of the building zone resolution, of George G. Miller, applicant, on behalf of Gabriel Besner, owner, to permit in a residence use district the elevation of the rear yard of a multiple dwelling above the limit set by the building zone resolution; premises 2175 Ryer avenue, west side, 102 ft. 5-5/16 in. north of East 181st street (Block No. 3157, Lot No. 59), Borough of The Bronx.

CAL. NO. 17-38-BZ—Application, January 13, 1938, under section 7h of the building zone resolution, of Herman Kron, applicant, on behalf of Harlem Savings Bank, owner (Rosemol Realty Corporation, lessee), to permit in a retail use district, for a temporary period of not more than two (2) years, the parking of more than five (5) motor vehicles; premises 324-328 West 34th street, south side, 325 ft. west of 8th avenue (Block No. 757, Lot Nos. 51 to 53, inclusive), Borough of Manhattan.

CAL. NO. 418-37-BZ—Application, August 25, 1937, under section 7h of the building zone resolution, of Lauritz Lauritzen, applicant, on behalf of Louis Frisse, owner, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 115-125 Myrtle avenue, north side, 22.89 ft. east of 116th street (Block No. 9257, Lot No. 57), Richmond Hill, Borough of Queens.

CAL. NO. 274-36-BZ—Application of Commander Oil Corporation, owner, reopened December 20, 1938, for consideration as to extension of time to complete work—time having expired by limitation—re Application previously granted on condition, under section 21 of the building zone resolution, permitting in a business use district, the extension of a petroleum storage plant; premises 72-40 to 72-50 Elizabeth avenue (foot of Elizabeth avenue); (Block No. 520, Lot Nos. 10, 13, 69, 74 and 75), Arverne, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 17, 1939, 2 P. M.

Appeals from Administrative Orders

1049-38-A—591 Washington street, east side, 75 ft. north of Clarkson street and 610 Greenwich street (Block No. 601, Lot No. 29), Borough of Manhattan.

1126-38-A—477-483 10th avenue, southwest corner of West 37th street (Block No. 708, Lot Nos. 35 and 37), Borough of Manhattan.

1008-38-A-WF—126-14 38th avenue, south side, 100 ft. east of 126th street (Block No. 1826, Lot No. 14), Corona, Borough of Queens.

1096-38-A—41-75 Kissena boulevard, northeast corner of Sanford avenue (Block No. 882, Lot No. 1), Flushing, Borough of Queens.

CALENDAR

Building Zone Application

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday afternoon, January* 17, 1939, at 2 o'clock, in Room 1013, Municipal Building, on the following matter, except cases which have been heard and on which decision has been reserved without further argument, pending an inspection and a report with recommendation by the committee of the board:

CAL. NO. 177-27-BZ—Application of Seelig and Finkelstein, applicants, on behalf of Bay Road Realty Corporation, owner, reopened November 1, 1938, for consideration as to extension of time to obtain permits and to complete work—time having expired by limitation—re Application, previously granted on condition, under section 7c of the building zone resolution, permitting in a residence use district extending from a business use district the erection and maintenance of a building for store occupancy on the first story; premises north side of Broadway (Cornaga avenue), 79.18 ft. east of Mott avenue (Block No. 47, Lot No. 78), Far Rockaway, Borough of Queens.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 24, 1939, 10 A. M.

Building Zone Applications

NOTICE IS HEREBY GIVEN by the Board of Standards and Appeals of a public hearing under the provisions of the building zone resolution, *Tuesday morning, January* 24, 1939, at 10 o'clock, in Room 1013, Municipal Building, on the following matters:

CAL. NO. 967-38-BZ—Application, November 1, 1938, under sections 7b and 7c of the building zone resolution, of Paul Friedman, applicant, on behalf of Greenpoint Bliss Carolin Stores, Inc., owner (F. W. Woolworth Company, lessee), to permit partly in a residence use district and partly in a business use district the erection and maintenance of an extension to an existing business building (stores); premises 46-10 to 46-12 Greenpoint avenue, south side, 109.77 ft. west of 47th street and 45-40 47th street, west side, 124 ft. south of Greenpoint avenue (Block No. 153, part of Lot Nos. 13, 17 and 25), Sunnyside, Borough of Queens.

CAL. NO. 139-38-BZ—Application, March 5, 1938, under section 7h of the building zone resolution, of Irving Krantz, for Furst, Schwartz, Schwager and Landau, applicants, on behalf of Nina L. Sonnenstrahl, owner, to permit partly in a business use district and partly in a residence use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles; premises 190-200 Barbey street and 2850-2862 Fulton street, southwest corner (Block No. 3949, Lot No. 22), Borough of Brooklyn.

CAL. NO. 805-38-BZ—Application, September 20, 1938, under section 21 of the building zone resolution, of Joseph P. McMahon, applicant, on behalf of Corporation of the Eastern Hills, owner, to permit partly in a business use district and partly in a residence use district the erection and maintenance of a golf driving range; premises southwest corner of Horace Harding (Nassau) boulevard and Hollis court boulevard (Block No. 5720, Lot No. 25, Block No. 5721, Lot Nos. 1 and 40, Block No. 5724, Lot No. 30, Block No. 5725, Lot No. 1 and Block No. 5726, Lot Nos. 3 and 15), Flushing, Borough of Queens.

CAL. NO. 1011-38-BZ—Application, November 9, 1938, under sections 7a and 21 of the building zone resolution, of Albert C. Benson, applicant, on behalf of Marie D. Dobran, owner, to permit in a business use district the erection and maintenance of an accessory building on an existing gasoline service station; premises 111-66 Corona avenue and 112-35 to 112-43 Colonial avenue, southwest corner (Block No. 1972, Lot Nos. 53 and 56), Corona, Borough of Queens.

CAL. NO. 796-38-BZ—Application September 15, 1938, under sections 7c and 21 of the building zone resolution, of Milton D. Clausen, applicant on behalf of Frederick Ambrose Clark and Stephen Carlton Clark, owners, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a golf driving range; premises 221-02 to 221-40 Horace Harding (Nassau) boulevard and 61-01 to 61-75 Springfield boulevard, southeast corner (Block Nos. 7644, 7645, 7656 and 7657, Lot No. 1), Bayside, Borough of Queens.

CAL. NO. 770-38-BZ—Application August 29, 1938, under section 21 of the building zone resolution of Samuels and Samuels, applicants, on behalf of Minnie Zagarino, owner, to permit in a business use district, the extension and reconstruction of a gasoline service station (previously granted by the board) premises 109-61 to 109-73 Van Wyck boulevard and 109-118 to 109-130 Lincoln avenue, northeast corner (Block No. 10066, Lot No. 1), Jamaica, Borough of Queens.

CAL. NO. 408-38-BZ—Application of William J. McMahon, applicant and lessee, on behalf of Hans Donhauser, Inc., owner, reopened and restored to calendar December 6, 1938 (previously withdrawn), under section 21 of the building zone resolution, to permit partly in a business use district and partly in a residence use district, the erection and maintenance of a gasoline service station; premises 72-01 Astoria boulevard (Grand Central Parkway Extension), northeast corner of 72nd street (Block No. 1004, Lot No. 52), Astoria, Borough of Queens.

CALENDAR

CAL. NO. 890-38-BZ—Application October 14, 1938, under sections 7e, 7h and 21 of the building zone resolution of E. C. Bartlett for 145 East 41st Street Corporation, lessee, R. W. Goelet, owner, to permit in a business use district, the parking and storage of more than five (5) motor vehicles; premises 145-149 East 41st street, north side, 100 ft. west of Third avenue (Block No. 1296, Lot Nos. 30, 31 and 32), Borough of Manhattan.

HARRIS H. MURDOCK, *Chairman.*

JANUARY 24, 1939, 2 P. M.

Appeal from Administrative Order

1009-38-A—57-16 Granger street, south side, 136 ft. east of Martense avenue (Block No. 1950, Lot No. 46), Corona, Borough of Queens.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY MORNING, DECEMBER 20, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

The minutes of the regular meeting of the board held on Tuesday morning, December 6, 1938, and the minutes of the regular meeting of the board held on Tuesday afternoon, December 6, 1938, were approved as printed in Bulletin No. 50, Volume XXIII.

BUILDING ZONE CASES

177-27-BZ.

APPLICANT—Seelig and Finkelstein, for Bay Road Realty Corporation, owner.

SUBJECT—Application reopened November 1, 1938 for consideration as to extension of time to obtain permits and to complete work—time having expired by limitation—re Application (decision of the superintendent of buildings) under section 7c of the building zone resolution, permitting in a residence use district extending from a business use district, the erection and maintenance of a building for store occupancy on the first story.

PREMISES AFFECTED—North side of Broadway (Cornaga avenue), 79.18 ft. east of Mott avenue (Block No. 47, Lot No. 78), Far Rockaway, Borough of Queens.

APPEARANCES—

For Applicant: Louis C. Kaye and Harry Finkelstein.

For Opposition: Edward E. Rosenblume.

ACTION OF BOARD—Laid over to January 17, 1939, at 2 p.m., for inspection and report by a committee of the Board. No further argument.

418-37-BZ.

APPLICANT—Lauritz Lauritzen, for Louis Frisse, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—115-125 Myrtle avenue, north side, 22.89 ft. east of 116th street (Block No. 9257, Lot No. 57), Richmond Hill, Borough of Queens.

APPEARANCES—

For Applicant: Lauritz Lauritzen.

For Opposition: Sidney Gleich.

ACTION OF BOARD—Laid over to January 17, 1939, at 10 a.m. Applicant to file additional photograph and furnish additional information.

877-38-BZ.

APPLICANT—George A. Bagge, for Grandboro Realty Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use.

PREMISES AFFECTED—2327 Grand Concourse, west side, 247 ft. north of East 183rd street (Block No. 3164, Lot No. 24), Borough of The Bronx.

APPEARANCES—

For Applicant: George A. Bagge.

For Opposition: None.

ACTION OF BOARD—Laid over to January 10, 1939, at 2 p.m., for report by a committee of the board. No further argument.

888-38-BZ.

APPLICANT—Abraham Farber, for Anchor Laundry of Brooklyn, Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under sections 7a and 21 of the building zone resolution, to permit in a residence use, and "C" area district, the alteration, extension and conversion of occupancy of an existing building to a garage for more than five (5) motor vehicles, and, also, the omission of the required rear yard.

PREMISES AFFECTED—467-473 Prospect avenue, north side, 151 ft. 4 in. west of Prospect Park West (Block No. 1113, Lot No. 62), Borough of Brooklyn.

APPEARANCES—

For Applicant: Abraham Farber.

For Opposition: Murray Gray and Joseph M. Monahan.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 10, 1939, at 2 p.m., for final decision by the board. No further argument.

275-38-BZ.

APPLICANT—J. G. L. Molloy, for David Zipkin, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 7h of the building zone resolution, to permit in a business use district, for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—225-229 Sherman avenue and 531-537 West 207th street, southeast corner (Block No. 2223, Lot Nos. 1 to 4, inclusive), Borough of Manhattan.

APPEARANCES—

For Applicant: None.

For Opposition: None.

ACTION OF BOARD—Application withdrawn on written request.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum..... 3
Negative 0
Absent: Assistant Chief Walsh..... 1

436-38-BZ.

APPLICANT—John F. Meehan, for Wilgate Holding Corporation, owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—53-02 Kissena boulevard, southeast corner of 153rd street, northwest corner of Kissena boulevard and Peck avenue and northeast corner of 153rd street and Peck avenue (Block No. 5163, Lot No. 74), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: John F. Meehan, James Cole and L. Galucci.
For Opposition: John G. Coleman and Richard J. Comerford.

ACTION OF BOARD—Application granted on condition.

THE VOTE TO GRANT—
Affirmative: Commissioners Savage and Blum and Assistant Chief Walsh..... 3
Negative: Chairman Murdock..... 1
Absent 0

THE RESOLUTION—

(436-38-BZ)

WHEREAS, John F. Meehan, for Louis Galucci, President, Wilgate Holding Corporation, owner, filed June 1, 1938, an application under the building zone resolution, to permit in a business use district the erection and maintenance of a gasoline service station; premises: 53-02 Kissena boulevard, southeast corner of 153rd street, northwest corner of Kissena boulevard and Peck avenue and northeast corner of 153rd street and Peck avenue (Block No. 5163, Lot No. 74), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Kissena boulevard is in a business and residence use district; 153rd street is in a residence and business use district; Peck avenue is in a business use district and Rose avenue is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated May 20, 1938, re N.B. App. No. 3450-38, reads:

"The erection of a gasoline service station within a business district is contrary to sect. 4, sub. a-46 of the Building Zone Resolution."

and

WHEREAS, the premises consist of an irregular shaped plot of ground having a frontage of 166.3 ft. on Kissena boulevard, 90.7 ft. on 153rd street and 139.4 ft. on Peck avenue. It is proposed to erect upon the site a one story building 39 ft. by 21 ft. 4 in. in area to be used as office, car washing and lubritorium and also, the necessary tanks and pumps for a gasoline service station; and

WHEREAS, the Board deemed that the provisions of Section 7, Subdivision f of the building zone resolution, under which this application was made, empowered the Board to exercise its discretion and to grant this application for a temporary term of two years under such conditions as will safeguard the area.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted* under Section 7f for a period of two years, to permit the plot under appeal to be occupied as a gasoline service station, *on condition* that the plot shall be graded substantially to the grade of Kissena boulevard and that the accessory building shall be constructed substantially of the design and arrangement, as indicated on plans filed with this application; that the entire plot, where not occupied by the accesory building, shall be paved with concrete, except that certain portions shall be landscaped; that no pumps shall be erected nearer than 15 ft. to the building line of Kissena boulevard; that all entrances to the property shall be from Kissena boulevard; that complete working drawings, showing proposed landscaping, accessory buildings, curb cuts, lighting and signs, shall be submitted to the Board prior to filing with the Borough Superintendent, to permit the Board to impose such additional conditions as it may deem necessary; that such plans shall be submitted within six months from the date of this action and after approval by the Board all work shall be completed within one year thereafter; that the owner of the premises shall also file with the Board and with the Borough Superintendent, an agreement, properly attested, to the effect the station will be removed upon the development of the adjacent park upon the application of the Park Commissioner or when Kissena boulevard is widened or a parkway in the area following the railroad right of way is constructed.

542-38-BZ.

APPLICANT—Patrick Quilty, acting chief engineer, for Department of Water Supply, Gas and Electricity, City of New York, owner.

SUBJECT—Application reopened November 22, 1938 by the board for further consideration (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of an extension to an existing pumping station, extension to be used as a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—Southwest corner of Underhill avenue and Fresh Meadow road (Block No. 5580, Lot No. 140), Flushing, Borough of Queens.

APPEARANCES—
For Applicant: John A. Dwyer.
For Opposition: None.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(542-38-BZ)

WHEREAS, Patrick Quilty for Dept. of Water Supply, Gas & Electricity for the City of New York, owner, filed June 24, 1938, an application under the building zone resolution, to permit in a business use district the erection and maintenance of an extension to an existing pumping station, extension to be used as a garage for more than five (5) motor vehicles; Premises: southwest corner of Fresh Meadow road and Underhill avenue (Block No. 5580, Lot No. 140), Flushing, Borough of Queens; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Fresh Meadow road is in a residence and business use district; Underhill avenue is in a business use district and Livonia avenue is in a residence and business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated May 25, 1938 re Alt. App. 1130-38, reads:

"The extension of a building in a business district for the storage of more than five motor vehicles is prohibited by Sec. 4 and 15 of the Zone Law.",

and

WHEREAS, the premises consist of a large plot of ground having a frontage of 145 ft. on Fresh Meadow road, approximately 852 ft. along the south lot line and 434 ft. along the north lot line; the plot is operated as a reservoir by the Department of Water Supply, Gas and Electricity of the City of New York. Upon the south westerly portion of the plot there is located a pumping station 98 ft. by 60 ft. in area. It is proposed to erect an extension to this building; the proposed extension to be non-fireproof, 2 stories in height, 105 ft. by 60 ft. in area; to be occupied on the 1st story as a garage for more than 5 motor vehicles and as office, store rooms, etc. on the second story; and

WHEREAS, the premises and surrounding area were inspected by a committee of the Board, prior to hearing; and

WHEREAS, the board deemed that this was a proper case in which to exercise its discretion and grant under Section 7c of the building zone resolution.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 7c thereof, so as to permit the construction of the garage as proposed, *on condition* that such use shall continue only so long as the building is used as a garage in connection with the water works property under the jurisdiction of the Department of Water Supply, Gas and Electricity.

557-38-BZ.

APPLICANT—Moore and Landsiedel, for Washington Heights Automobile Club, Inc., owner.

SUBJECT—Application (re decision of the borough superintendent of buildings) under section 21 of the building zone resolution, to permit partly in a residence use district and partly in a business use district the conversion of occupancy of an existing building to a motor vehicle repair shop.

PREMISES AFFECTED—4376 Broadway, east side, 25 ft. 2-4/5 in. south of West 187th street (Block No. 2167, Lot No. 47), Borough of Manhattan.

APPEARANCES—

For Applicant: L. B. Santangelo and Samuel Marsa.

For Opposition: John A. Halloway.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application denied.

THE VOTE TO GRANT—

Affirmative	0
Negative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Absent	0

THE RESOLUTION—

(557-38-BZ)

WHEREAS, Moore & Landsiedel, for Washington Heights Automobile Club, Inc., owner, filed June 24, 1938, an application under the building zone resolution to permit partly in a residence use and partly in a business use district, the conversion of occupancy of an existing building to a motor vehicle repair shop; premises: 4376 Broadway, east side, 25 ft. 2-4/5 in. south of West 187th street (Block No. 2167, Lot No. 47), Borough of Manhattan, and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Broadway is in a business use district; West 187th street is in a residence and business use district and Wadsworth avenue is in a residence use district; and

WHEREAS, the decision of the borough superintendent of buildings, dated November 2, 1938, re Alt. Applic. No. 1585-1938, reads:

"2—Repair shop for motor vehicles is a prohibited use in a residence district and in business district, Art. 2, Sect. 3 and Sect. 4a, sub. 29, Bldg. Zone Resolution."

and

WHEREAS, the building is of non-fireproof construction one story in height, with a frontage of 25 ft. 2 in. and a depth of 107 ft. 7 in. formerly occupied as a store, to be occupied as a motor vehicle repair shop; and

WHEREAS, the plot and surrounding area were inspected by a committee of the board, prior to hearing; and

WHEREAS, the board deemed that applicant was not entitled to relief under Section 21 on the grounds of practical difficulty and unnecessary hardship.

Resolved, that the decision of the borough superintendent, Alt. Applic. No. 1585-1938, be and it hereby is *affirmed*, and that the application be and it hereby is *denied*.

887-38-BZ.

APPLICANT—Lama & Proskauer, for Samuel Schenkel, owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district the erection and maintenance of an additional accessory building on an existing gasoline service station.

PREMISES AFFECTED—833-839 Fourth avenue and 168-176 30th street, southeast corner (Block No. 673, Lot No. 5), Borough of Brooklyn.

APPEARANCES—

For Applicant: Alfred A. Lama and Samuel Schenkel.

For Opposition: Bertha Scheppereet.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(887-38-BZ)

WHEREAS, Lama & Proskauer, for Samuel Schenkel, owner, filed October 13, 1938, an application under the building zone resolution, to permit in a business use district, the erection and maintenance of an additional accessory building on an existing gasoline service station; premises: 833-839 Fourth avenue and 168-176 30th street, southeast corner (Block No. 673, Lot No. 5), Borough of Brooklyn; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that Fourth avenue is in a business use district; 30th street is in a business and unrestricted use district; 31st street is in a business and unrestricted use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated November 22, 1938, re Applic. No. 12949-38, reads:

"Lubritorium and laundry in conjunction with gasoline station in a business district is an extension of a non-conforming use, contrary to B.Z. Res., Art. II, 4(a), 46. Proposition denied."

and

WHEREAS, the premises consist of a plot of ground having a frontage of 100 ft. on Fourth avenue and 100 ft. on 30th street; occupied as a gasoline service station. It is proposed to erect upon the plot a one-story building, 40 ft. by 26 ft. in area, to be used as auto laundry and lubritorium; and

WHEREAS, the site under appeal was the subject of an inspection by a committee of the Board in order to be informed, prior to the hearing; and

WHEREAS, the Board deemed that the applicant established his basis of appeal under Section 21, practical difficulty and unnecessary hardship, and should be permitted to construct an adjoining accessory building inasmuch as not extension of area of the plot is involved.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution and that the application be and it hereby is *granted* under Section 21 thereof, to permit the erection of the additional accessory building for greasing pits and laundry, located and arranged substantially as indicated on plans filed with this application, *on condition* that the building shall be constructed of fireproof materials, except that the roof beams and boarding, window frames and sash and doors may be of wood, except that the rear windows shall be fireproof sash, glazed with wire glass; that the racks for greasing shall be of the hydraulic type; that any heating system installed shall be of an approved type and if a heating boiler is installed, it shall be in a room separated from the balance of the building by fireproof construction and enterable only from the exterior; that a substantial board fence shall be constructed on the interior lot lines where walls of adjacent buildings do not occur; that any additional pumps erected shall be installed not nearer than 15 feet to the street building line; that all permits required and all work involved shall be completed within one year from the date of this action.

958-38-BZ.

APPLICANT—Edgar A. Palmieri, for Morris Markowitz, Fanny Markowitz and Mary Schiff, owners.

SUBJECT—Application (re decision of the borough superintendent of buildings) under sections 21 and 7e of the building zone resolution, to permit in a business use district the conversion of occupancy of part of an existing building to a garage for more than five (5) motor vehicles.

PREMISES AFFECTED—345-347 East 103rd street, north side, 125 ft. west of First avenue (Block No. 1675, Lot Nos. 21 and 22), Borough of Manhattan.

APPEARANCES—

For Applicant: Alfred A. Lama and Morris Markowitz.

For Opposition: None.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(958-38-BZ)

WHEREAS, Edgar A. Palmieri, for Morris Markowitz, Fanny Markowitz and Mary Schiff, owners, filed October 28, 1938, an application under the building zone resolution to permit in a business use district the conversion of occupancy of part of an existing building to a garage for more than five (5) motor vehicles; premises: 345-347 East 103rd street, north side, 125 ft. west of First avenue (Block No. 1675, Lot Nos. 21 and 22), Borough of Manhattan; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, December 20, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the use district maps accompanying the building zone resolution show that East 103rd street is in a business and unrestricted use district; East 104th street is in a business and unrestricted use district; First avenue is in an unrestricted use district and Second avenue is in a business use district; and

WHEREAS, the decision of the Borough Superintendent of Buildings, dated September 30, 1938, re Alt. Applic. No. 1387-38, reads:

> "No. 9. No building in a business district may be used as a public garage nor may any such building be extended for an unlawful use. Art. 11, Sec. 6, Zoning Resolution."

and

WHEREAS, the building is of non-fireproof construction one and two stories in height, with a frontage of 50 ft., and a depth of 100 ft. 11 in., formerly occupied as a stable in the cellar and 1st story and dwelling above, to be occupied as a garage for more than five motor vehicles with dwelling on the 2nd story; and

WHEREAS, the Board deemed that the provisions of Section 7, Subdivision E of the Building Zone Resolution, under which this application was made, empowered the Board to exercise its discretion, and that hardship existed to warrant granting the application.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the Building Zone Resolution, and that the application be and it hereby is *granted,* to permit the building under appeal to be used as proposed as a garage for more than five (5) cars, limited to the 1st story only, *on condition* that in all other respects, except as to zone use, the building shall comply with all laws, rules and regulations applicable thereto; that no gasoline storage shall be maintained on the premises other than in tanks of cars; that the cellar shall remain vacant except that that portion below the existing store may be used in conjunction therewith, provided that such portion of the cellar is separated from the balance of cellar with fireproof construction with no openings therein; and that all permits shall be obtained and all work shall be completed within one year from the dated of this action.

366-36-BZ.

APPLICANT—Scacchetti and Siegel, for 2291 Realty Corporation, owner.

SUBJECT—Application for reopening to grant as per Order of the Court re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (stores); (previously denied by board, reversed by Court).

PREMISES AFFECTED—2261-2269 (2291 Displayed) Grand Concourse, west side, 95 ft. south of East 183rd street (Block No. 3163, Lot No. 26), Borough of The Bronx.

APPEARANCES—

For Applicant: Sidney R. Diamond.

For Opposition: None.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(366-36-BZ)

WHEREAS, Scacchetti and Siegel, for 2291 Realty Corporation, owner, filed November 30, 1936, an application under the building zone resolution to permit in a residence use district the erection and maintenance of a business building (stores); Premises: 2261-2269 (2291 displayed) Grand Concourse, west side, 95 ft. south of East 183rd street (Block No. 3163, Lot No. 26), Borough of The Bronx; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand Concourse is in a residence and business use district; Creston avenue is in a residence and business use district; E. 183rd street is in a business and residence use district and E. 182nd street is in a residence use district; and

WHEREAS, the decision of the commissioner of buildings, rendered December 10, 1936, N. B. Application No. 583-1936, reads:

"1. The proposed erection of a business building (retail stores) in a residence district is contrary to section 3 of the building zone resolution."

and

WHEREAS, the proposed building is to be of non-fireproof construction one story in height, with a frontage of 100 feet and a depth of 84 feet to be occupied as a business building (stores); a small irregular area of the plot at the northwest corner is located in the business use district, the remainder of the plot is in the residence use district; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, February 24, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the Board deemed that hardship did not exist and that the plot can be developed with a conforming use; and

WHEREAS, this application was denied by the Board, February 24, 1937; and

WHEREAS, upon Court review, the decision of the Board rendered February 24, 1937, denying the zoning variance sought as to use, was reversed by Special Term and reversal confirmed by the Appellate Division and the Court of Appeals on the ground that "all the other property owners enjoy the benefit of a business use" and "to deny the petitioner, the holder of the only restricted plot the same privilege is to discriminate against him".

Resolved, that the resolution adopted by the Board February 24, 1937 be amended to read:

"*Resolved*, that upon order of the Court, that the decision of the Commissioner of Buildings be and it hereby is *reversed* and that the application be and it hereby is *granted* so as to permit the construction of a one-story business building, provided such building complies in all respects, other than use, with the requirements of the Zone Resolution."

Adjourned, 12:50 P. M.

EDWARD V. BARTON, Chief Clerk.

MINUTES

BOARD OF STANDARDS AND APPEALS

REGULAR MEETING

TUESDAY AFTERNOON, DECEMBER 20, 1938

Present: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh.

BUILDING ZONE CASES

592-24-BZ.

APPLICANT—Samuel Rosenblum, for Fannie Blumberg, owner.

SUBJECT—Application for consideration—reopening and amendment (re decision of the acting borough superintendent of buildings) re Application, under section 21 of the building zone resolution, permitting in a business use district, the alteration and change of occupancy of an existing public garage for more than five (5) motor vehicles, previously granted by the board, so as to permit the inclusion of a gasoline service station.

PREMISES AFFECTED—240-250 Empire boulevard, southwest corner of Rogers avenue (Block No. 1314, Lot No. 44), Borough of Brooklyn.

APPEARANCES—

For Applicant: Samuel Rosenblum.

ACTION OF BOARD—Application reopened, subject to usual procedure.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

229-34-BZ.

APPLICANT—Edgar J. Moeller, for John McCluskey, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the erection and maintenance of repair shop for motor vehicles in connection with automobile sales building.

PREMISES AFFECTED—531-535 East Fordham road, northeast corner of Bathgate avenue (Block No. 3273, Lot Nos. 305 and 307), Borough of The Bronx.

APPEARANCES—

For Applicant: Edgar J. Moeller.

ACTION OF BOARD—Application reopened and set for hearing January 10, 1939, at 2 p.m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

274-36-BZ.

APPLICANT—Commander Oil Corporation, owner.

SUBJECT—Application for consideration—reopening and extension of time—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a business use district the extension of a petroleum storage plant.

PREMISES AFFECTED—72-40 to 72-50 Elizabeth avenue (foot of Elizabeth avenue); (Block No. 520, Lot Nos. 10, 13, 69, 74 and 75), Arverne, Borough of Queens.

APPEARANCES—

For Applicant: W. F. Morgan.

ACTION OF BOARD—Application reopened and set for hearing January 17, 1939, at 10 a.m.

THE VOTE TO REOPEN—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

573-37-BZ.

APPLICANT—Herman Kron, for Mutual Life Insurance Company of New York, owner.

SUBJECT—Application (re decision of the commissioner of buildings) under sections 7h and 21 of the building zone resolution, to permit in a business use district for a temporary period of not more than two (2) years, the parking and storage of more than five (5) motor vehicles.

PREMISES AFFECTED—158-176 Columbus avenue, 101 West 67th street, 100 West 68th street and 1980-1998 Broadway (Block No. 1139, Lot No. 24), Borough of Manhattan.

APPEARANCES—

For Applicant: Herman Kron.
For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 10, 1939, at 10 a.m., for further hearing by the board.

676-38-BZ.

APPLICANT—M. Allen Schlendorf, for Kroder-Reubel Co., Inc., owner.

SUBJECT—Application (re decision of the acting borough superintendent of buildings) under section 21 of the building zone resolution, to permit in a business use district, the erection and maintenance of a saw and planing mill.

PREMISES AFFECTED—75-81 Herbert street, north side, 50 ft. east of North Henry street (Block No. 2828, Lot No. 1), Borough of Brooklyn.

APPEARANCES—

For Applicant: M. Allen Schlendorf.

ACTION OF BOARD—Application withdrawn, upon request of applicant.

THE VOTE TO WITHDRAW—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

345-36-BZ.

APPLICANT—Hahn and Coller, for John Seinfeld, owner.

SUBJECT—Application reopened November 1, 1938, for rehearing on new facts (previously denied by the board)—Court having referred the matter back to board for rehearing and reconsideration—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use (stores).

PREMISES AFFECTED—2095 Grand Concourse, west side, 93.63 ft. north of East 180th street (Block No. 3161, Lot No. 26), Borough of The Bronx.

APPEARANCES—

For Applicant: Julius Hahn and John Seinfeld.

ACTION OF BOARD—Resolution of the board of January 25, 1938, reaffirmed.

THE VOTE TO REAFFIRM THE RESOLUTION OF THE BOARD OF JANUARY 25, 1938—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(345-36-BZ)

WHEREAS, Hahn and Coller, for John Seinfeld, owner, filed November 12, 1936 an application under the building zone resolution to permit in a residence use district the conversion of occupancy of part of an existing multiple dwelling to business use (stores); premises: 2095 Grand concourse, west side, 93.63 ft. north of East 180th street (Block No. 3161, Lot No. 26), Borough of The Bronx; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand concourse is in a residence and business use district; Creston avenue is in a residence and business use district; East 180th street is in a residence and business use district and East 181st street is in a residence and business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered October 13, 1936, re Alt. Application No. 580-1936, reads:

"1. Objection 1 not removed:

In a residence district, no building or premises shall be used for business. Article 2, Section 3, Zone Resolution. Business and store proposed is unlawful."

and

WHEREAS, the building is of non-fireproof construction 5 stories and basement in height, with a frontage of 101.6 ft. and a depth of 87.8 ft., occupied as a multiple dwelling, it is proposed to alter the basement for occupancy for business use, 6 stores; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, January 25, 1938 after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, this application was denied by the board January 25, 1938 as the board deemed that the applicant did not substantiate a basis of practical difficulties and unnecessary hardship, to justify the board exercising its discretion to vary the zoning requirements as to use and rear yard under section 21; and

WHEREAS, a writ of certiorari was served on the board; and

WHEREAS, on October 7, 1938, the Court proceedings were discontinued by stipulation and matter referred back to board for rehearing, by order signed October 10, 1938; and

WHEREAS, the matter was restored to the Calendar of the board November 1, 1938, by vote of the board; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting November 29, 1938, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, the matter was then adjourned without further argument to December 20, 1938 for consideration by the board and for determination; and

WHEREAS, a report of the board acting as a committee of the whole was as follows:

REPORT OF COMMITTEE

December 19, 1938.

Re: Cal. No. 345-36-BZ
2095 Grand concourse, The Bronx.

These premises are adjoining on the South the premises under Cal. No. 245—of 1937—BZ, for decision at the same session.

At a previous hearing on January 25, 1938, the application to remodel the basement apartments to stores was denied. Court review was sought, but, by stipulation approved by the Court, the application was referred back to the Board for rehearing in view of the decision of the Court in 2291 Realty Corporation, affecting property two blocks to the North. The Committee has considered that decision and finds no basis therein for a parallel. The premises under appeal

are not located between buildings enjoying the right to have business uses. This building has illegal business uses now which the owner is loath to give up because of the substantial contribution such uses make to his rent roll as indicated by the financial statement filed on December 6, at the request of the Board.

In the Report of the Committee in Calendar No. 245 of 1937-BZ, as to the application for a variance to permit business use in the adjoining premises, the Committee pointed out the proper procedure, namely, to seek from the City Planning Commission a change of zone from residence to restricted retail use. This should be for the blocks from 100 feet North of 180th street Northerly to the present business zone area.

The representations in this application clearly indicate that the difficulties are caused by the present use zoning and not that this property is unique and different from others in the area. Under the principles stated clearly by the Court in Young Women's Hebrew Association vs. the Board and Tillie Levy vs. the Board, relief should be sought through rezoning of the area and not by a variation by this Board.

The Committee, while recognizing the owner's desire to increase his income by being permitted to continue business uses now conducted illegally, cannot recommend that the decision of the Board as rendered January 25, 1938, be changed and recommends that the decision be reaffirmed.

(Sgd.) HARRIS H. MURDOCK,
Chairman.
BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

Resolved, that the decision rendered by the board January 25, 1938 be *reaffirmed*.

245-37-BZ.

APPLICANT—Nathan Mandel, for St. Cloud Construction Corporation, owner.

SUBJECT—Application reopened November 1, 1938, for rehearing on new facts (previously denied by the board)—Court having referred the matter back to the board for rehearing and reconsideration—re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, to permit in a residence use district the erection and maintenance of a business building (store).

PREMISES AFFECTED—2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx.

APPEARANCES—
For Applicant: Nathan Mandel.

ACTION OF BOARD—Resolution of the board of October 26, 1937, reaffirmed.

THE VOTE TO REAFFIRM THE RESOLUTION OF THE BOARD OF OCTOBER 26, 1937—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(245-37-BZ)

WHEREAS, William Shary, for St. Cloud Construction Corporation, owner, filed May 28, 1937 an application under the building zone resolution to permit in a residence use district the erection and maintenance of a business building (store); premises: 2101 Grand Concourse, west side, 144.23 ft. south of East 181st street (Block No. 3161, Lot Nos. 25 and 25½), Borough of The Bronx; and

WHEREAS, the use district maps accompanying the building zone resolution show that Grand Concourse is in a residence and business use district and E. 181st street is in a business and residence use district and Creston avenue is in a residence and business use district; and

WHEREAS, the decision of the commissioner of buildings, rendered May 11, 1937, N.B. Application No. 183-1937, reads:

"1. Business prohibited in residential district as per section 3 of amended building zone resolution."

and,

WHEREAS, the building is to be of non-fireproof construction, one story in height, with a frontage of 29.04 ft. and a depth of 103 ft., to be occupied as store; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals, at its regular meeting, October 26, 1937, after due notice by publication in the Bulletin of the Board of Standards and Appeals; and

WHEREAS, this application was denied by the board October 26, 1937 as the board deemed that applicant had failed to substantiate his basis of appeal under section 21 of the building zone resolution, and was, therefore, not entitled to relief; and

WHEREAS, a writ of certiorari was served on the board; and

WHEREAS, on October 21, 1938 the proceedings were discontinued by stipulation that the matter be restored to the board's calendar for rehearing; and

WHEREAS, the matter was restored to the calendar of the board November 1, 1938, by vote of the board; and

WHEREAS, a public hearing was held on this application by the Board of Standards and Appeals at its regular meeting November 29, 1938, after due notice by publication in the bulletin of the Board of Standards and Appeals; and

WHEREAS, the matter was then adjourned, without further argument to December 20, 1938, for consideration by the board and for determination; and

WHEREAS, a report of the board acting as a committee of the whole was as follows:

REPORT OF COMMITTEE

Cal. No. 245-37-BZ,
Premises: 2101 Grand Concourse,
Borough of The Bronx.

December 19, 1938.

This application for a zoning variance was heard and denied on October 26, 1937. It was later subject to court review and referred back to the board by stipulation for reconsideration, in view of the decision by the court in 2291 Realty Corporation, affecting premises 2261-2269 Concourse. A new hearing was held on November 29, 1938.

In the 2291 Realty Corporation matter—Cal. No. 366 of 1936 BZ, the decision denying a variance to permit a one-story store building was reversed by the court because the property under appeal was the only plot in that block not enjoying the right to have a business use and the court said that "to deny the petitioner the same privilege is to discriminate against him". On one side, to the north, a business use was granted by the court in reversing the board (Nosmarba vs. Murdock). On the other side to the south, the board permitted a limited business use on a portion of the street floor only, provided the residential use should be maintained by erecting a six-story apartment house, which has been constructed, while the stores permitted by the court in the five-story apartment building to the north have not been constructed.

The plot under appeal has a frontage of 29 ft. and a depth of 103 ft., entirely within a residence use district. To the north is a six-story apartment containing stores on a portion of the street floor, permitted by the board under Cal. No. 362 of 1935 BZ. To the south is a five-story apartment house now having business

uses in the basement story along the Concourse and a large business use sign painted on the north side wall, without legal sanction. An application, Cal. No. 345-36-BZ, is pending for a zoning variance to legalize these business uses and to permit basement apartments to be altered into stores. If these business uses were legal, then there could be found a similarity between the facts as to the plot under appeal and those in the 2291 Concourse matter, but the comparison cannot be substantiated.

The owner purchased this plot, knowing its restricted use against business and lost no time in applying for a variance so a store building could be built. If the plot is unique, the owner speculated on its uniqueness expecting to cure matters by a zoning variance.

In the detailed report under Cal. No. 111-37-BZ, the board set forth the conditions in these three blocks on the Concourse, which have figured so extensively in appeals to the board because of uses existing prior to zoning, decisions by the court and actions by the board in an effort to maintain the main residential use and at the same time give relief where justified in line with court pronouncements.

As the board has repeatedly pointed out, piecemeal exemptions, to use the term used by the court in Tilly Levy vs. the Board, should not be granted to destroy the general restrictions applying to all in the residence zone. The committee is of the opinion that the City Planning Commission should be requested to change the use zone from residence to restricted retail for the area where the present business use ends, between 184th and 187th streets, to a point 100 ft. north of 180th street.

The committee finds no basis for recommending a change in the decision rendered on October 26, 1937, and recommends that that decision be reaffirmed.

(Sgd.) HARRIS H. MURDOCK,
Chairman.

BERNARD A. SAVAGE,
CHARLES M. BLUM,
PATRICK WALSH,
Committee.

Resolved, that the decision rendered by the board on October 26, 1937 be *reaffirmed*.

708-38-BZ.

APPLICANT—Lama & Proskauer, for Patrick Carroll, owner.

SUBJECT—Application for reopening—amendment of resolution and approval of plans (re decision of the borough superintendent of buildings) under sections 7C and 21 of the building zone resolution, to permit partly in a business use and partly in an unrestricted use district the extension of a gasoline service station.

PREMISES AFFECTED—92-28 Horace Harding boulevard, southeast corner of Queens boulevard (Block No. 2075, Lot Nos. 5 and 6), Elmhurst, Borough of Queens.

APPEARANCES—
For Applicant: Alfred A. Lama.

ACTION OF BOARD—Application reopened, resolution amended and plans approved.

THE VOTE TO REOPEN, AMEND RESOLUTION AND APPROVE PLANS—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(708-38-BZ)

WHEREAS, Lama and Proskauer, for Patrick Carroll, owner, filed August 9, 1938, an application under the building zone resolution, to permit partly in a business use and partly in an unrestricted use district, the extension of a gasoline service station; premises: 92-28 Horace Harding boulevard, southeast corner of Queens boulevard (Block No. 2075, Lot Nos. 5 and 6), Elmhurst, Borough of Queens; and

WHEREAS, the application was granted by the board November 15, 1938, on certain conditions and applicant requested an amendment of the resolution and approval of plans.

Resolved, that the resolution adopted by the board on November 15, 1938, be and it hereby is *amended* so that as amended it shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted*, under Section 7-C, to permit the premises under appeal within the business use district to be used in conjunction with the portion of the premises in the unrestricted district as a gasoline service station *on condition* that the plot shall be levelled substantially to the grades of surrounding streets; that the arrangement of the accessory building and pumps shall be substantially as indicated on revised plans filed at the hearing, except that no pumps shall be erected nearer than 15 ft. to the street line of either street; that complete working drawings shall be submitted to the board for approval and for the imposition of any additional conditions considered necessary before filing with the Borough Superintendent of Buildings and that such plans shall be filed within one month from the date of this action.

Resolved further, that the plans submitted, marked "received December 12, 1938" are hereby approved as complying with the requirements of the resolution, on condition that the requirements shall be maintained as indicated on such plans; that the entire plot shall be graded substantially to the grade of the surrounding streets; that no gasoline pumps or any part of the foundation for pumps shall be nearer than 21 ft. to the building line of Horace Harding boulevard; nor nearer than 18 ft. to the building line of Queens boulevard; that the accessory buildings shall not be extended beyond those shown; that the planting areas with protecting curbs shall be maintained of the sizes as indicated, as determined by measurements and by scale; that the rear portion of the premises may be paved with clean gravel for a temporary period, until such time as the owner determines the use desired therefor, which shall be subject to further consideration of the board; that all pumps shall be of a design approved by the Park Department for use along parkways and shall be in harmony with the design of the building; that the construction of the building shall comply with all laws, rules and regulations applicable thereto; that signs shall be limited to such signs as are indicated on the plans, excluding all temporary signs and any additional signs other than those shown, but permitting the erection within the building line of post standards at a point indicated, for supporting signs which may be illuminated, advertising solely the brand of gasoline on sale and permitting such signs to extend beyond the building line for a distance of not more than 4 ft.; that the plot, where not occupied by accessory buildings and planting, shall be concrete and asphalt paved where so indicated; that no repairing shall be done on the premises; that there shall be no parking of cars other than those being serviced; that all permits shall be obtained and all work completed within one year from the date of this action."

713-28-BZ.

APPLICANT—Joseph B. Lynch, for Gulf Oil Corporation, owner.

MINUTES

SUBJECT—Application for consideration—reopening and amendment—re (decision of the borough superintendent of buildings) re Application, previously granted on condition, permitting in a business use district the erection and maintenance of a gasoline service station.

PREMISES AFFECTED—76 Metcalfe street and 425 Vanderbilt avenue, block bounded by Metcalfe street, Vanderbilt avenue and Targee street (Block No. 646, Lot No. 1), Stapleton, Borough of Richmond.

APPEARANCES—

For Applicant: Joseph B. Lynch.

ACTION OF BOARD—Application reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(713-28-BZ)

WHEREAS, Thomas W. Nunley, owner, filed, August 31, 1928, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a gasoline service station; premises plot bounded by 76 Metcalfe street, 425 Vanderbilt avenue and Targee street, Stapleton, Borough of Richmond; and

WHEREAS, this application was granted by the board at its meeting March 12, 1929 on certain conditions and applicant requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on March 12, 1929, be and it hereby is *amended,* so that as amended the resolution will read:

"that the arrangement of the gasoline service station shall be generally as shown on revised plan, marked "received December 13, 1938"; *that the entrances to the plot shall not exceed two from Vanderbilt avenue, one* 35 *ft. in width and one* 43 *ft. and two from Targee street, each* 35 *ft. in width; that no gasoline pumps shall be erected nearer than* 16 *ft. from Targee street building line and* 20 *ft. from the Vanderbilt avenue building line; that there shall be maintained at the intersection of Vanderbilt avenue and Targee street, a triangular island of concrete extending* 13 *ft. along each building line from the intersection and not less than* 12 *inches in height; that the accessory building shall be as shown on plans filed with the Department of Buildings, as approved in N.B. Applic. No.* 815-29; *that no additional accessory buildings shall be constructed unless approved by this board; that the entire plot, where not occupied by accessory building, shall be cement paved; that signs shall be restricted to the illuminated globes of the pumps and to permanent signs attached to the accessory buildings and excluding all temporary signs and roof signs, but permitting the erection, within the building line, near the intersection of Targee street and Vanderbilt avenue, of a post-standard for supporting a sign which may be illuminated, advertising only the brand of gasoline on sale and permitting such sign to extend beyond the building line for a distance of not more than* 4 *ft.; that a substantial painted wooden fence on concrete curb shall be maintained along the building line on Metcalfe street; that all permits shall be obtained and all work completed within one year from the date of this amended resolution."*

APPEALS FROM ADMINISTRATIVE ORDERS

1009-38-A.

APPLICANT—Stephan Simon, neighboring property owner.

OWNER OF PREMISES—Michael Lordi.

SUBJECT—Appeal from a decision of the borough superintendent of buildings re Revocation of Certificate of Occupancy No. 3458 and Permit No. 9024-35.

PREMISES AFFECTED—57-16 Granger street, south side, 136 ft. east of Martense avenue (Block No. 1950, Lot No. 46), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Stephan Simon.

For Owner: Meyer Wilen, Frank Lordi and L. Lordi.

For Administration: Benjamin Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 24, 1939, at 2 p.m., for determination by the board in the event the B.Z. Application is not filed in meantime.

1095-38-A.

APPLICANT—S. Firestone, for Capitol Bowling and Billiards, Inc., for Capitol Health Center, Inc., lessee.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—1680 Broadway, east side, 60 ft. north of West 52nd street and 808 Seventh avenue (Block No. 1024, Lot No. 38), Borough of Manhattan.

APPEARANCES—

For Applicant: Benedict Ginsberg and S. Firestone.

For Administration: Inspector Meyer, Fire Department.

ACTION OF BOARD—Laid over to January 10, 1939, at 2 p.m., on request of applicant's representative. Applicant to obtain additional information.

1096-38-A.

APPLICANT—James L. Brownlee, Jr., for Sisters of St. Joseph, owners.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—41-75 Kissena boulevard, northeast corner of Sanford avenue (Block No. 882, Lot No. 1), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Laid over to January 17, 1939, at 2 p.m., on written request of applicant. Committee of board to make inspection.

1114-38-A.

APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—41-01 to 41-16 12th street, super block bounded by 41st avenue, 21st street, Bridge Plaza north and 12th street (Block No. 463, Lot No. 182 and Block No. 464, Lot No. 114), Long Island City, Borough of Queens.

APPEARANCES—

For Applicant: Allan F. Harrison, J. A. Walsh and H. C. Lamb.

For Administration: B. Saltzman, Department of Housing and Buildings.

ACTION OF BOARD—Laid over to January 10, 1939, at 2 P. M. for decision by the board.

1121-38-A.

APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

MINUTES

PREMISES AFFECTED—12-02 to 12-16 40th avenue, super block bounded by 40th avenue, 21st street, 41st avenue and 12th street (Block No. 467, Lot Nos. 510-544 and Block No. 468, Lot No. 457), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Allan F. Harrison, J. A. Walsh and H. C. Lamb.
For Administration: B. Saltzman, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to January 10, 1939, at 2 P. M. for decision by the board.

1122-38-A.
APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—10-02 to 10-30 40th avenue, super block bounded by 40th avenue, 12th street, 41st avenue and 10th street (Block No. 469, Lot No. 415, Block No. 470, Lot No. 375), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Allan F. Harrison, J. A. Walsh and H. C. Lamb.
For Administration: B. Saltzman, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to January 10, 1939, at 2 P. M. for decision by the board.

1123-38-A.
APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—10-02 to 10-30 41st avenue, super block bounded by 41st avenue, 12th street, a proposed street, 41st road and 10th street (Block No. 465, Lot No. 35 and Block No. 466, Lot No. 35), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Allan F. Harrison, J. A. Walsh and H. C. Lamb.
For Administration: B. Saltzman, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to January 10, 1939, at 2 P. M. for decision by the board.

1124-38-A.
APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—8-02 to 8-32 40th avenue, super block bounded by 40th avenue, 10th street, 41st avenue and Vernon boulevard (Block No. 478, Lot Nos. 1, 22-27 inclusive and Block No. 479, Lot No. 1), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Allan F. Harrison, J. A. Walsh and H. C. Lamb.
For Administration: B. Saltzman, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to January 10, 1939, at 2 P. M. for decision by the board.

1125-38-A.
APPLICANT—William F. R. Ballard, Chief Architect of Queensbridge Project Associated Architects, for New York City Housing Authority, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—8-02 to 8-32 41st avenue, super block bounded by 41st avenue, 10th street, Bridge Plaza north and Vernon boulevard (Block No. 480, Lot No. 1 and Block No. 481, Lot Nos. 1-7 inclusive, 8, 12, 16, 36, 55 and 63), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: Allan F. Harrison, J. A. Walsh and H. C. Lamb.
For Administration: B. Saltzman, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to January 10, 1939, at 2 P. M. for decision by the board.

1130-38-A.
APPLICANT—Dominick Cimino, for Dominick Cimino and Estate of Antonio Ippolito, owners.
SUBJECT—Appeal from an order and a decision of the fire commissioner.
PREMISES AFFECTED—90 Wythe avenue, southwest corner of North 11th street (Block No. 2295, Lot No. 18), Borough of Brooklyn.
APPEARANCES—
For Applicant: None.
For Administration: Inspector Maher, Fire Department.
ACTION OF BOARD—Laid over to January 4, 1939, at 2 p.m.

1142-38-A-WF.
APPLICANT—A. C. Benson, for Marie V. Dobran, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—112-33 Colonial avenue, north side, 77.53 ft. west of Corona avenue (Block No. 1972, Lot Nos. 58 and 59), Corona, Borough of Queens.
APPEARANCES—
For Applicant: A. C. Benson and M. V. Dobran.
For Administration: David Stone, Department of Housing and Buildings.
ACTION OF BOARD—Placed on Reserve Calendar, to be heard when building zone case is set for hearing.

1155-38-A.
APPLICANT—Harold J. Levy, for Borough Metal and Scrap Iron Co., Inc., lessee.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—1049-1065 Rockaway avenue, east side, 32 ft. 7 in. south of Linden boulevard (Block No. 3644A, Lot No. 4), Borough of Brooklyn.
APPEARANCES—
For Applicant: L. Segula.
For Administration: Inspector Meyer, Fire Department.
ACTION OF BOARD—Laid over to January 10, 1939, at 2 p.m., on request of applicant's representative; committee of the board to make inspection.

1157-38-A.
APPLICANT—William Shary, for Anna Schindel, et al., owners.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—142 East 34th street, south side, 115 ft. east of Lexington avenue (Block No. 889, Lot No. 60), Borough of Manhattan.

MINUTES

APPEARANCES—
For Applicant: William Shary and Ralph G. Albrecht.
For Administration. Fred Dahlem, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to January 10, 1939, at 2 p.m. Applicant to furnish additional information. Committee of the board to make inspection.

1164-38-A.
APPLICANT—J. Edward Dwyer, vice-president for E. Frederics, Inc., owner.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—44-02 11th street, west side, from 44th road to 44th avenue (Block No. 449, Lot No. 13), Long Island City, Borough of Queens.
APPEARANCES—
For Applicant: J. A. Manion and J. C. Brown.
For Administration: Inspector Meyer, Fire Department.
ACTION OF BOARD—Laid over to January 10, 1939, at 2 p.m., for inspection by a committee of the board.

1165-38-A.
APPLICANT—William L. Rosan, for Elten Realties, Inc., owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—1815 Morris avenue, northwest corner of Henwood place (Block No. 2826, Lot Nos. 32, 32¼, 32½ and 33), Borough of The Bronx.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Laid over to January 10, 1939, at 2 p.m., on written request of applicant.

1167-38-A.
APPLICANT—Five Star Social Club, Inc., lessee.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
PREMISES AFFECTED—267-273 South Fourth street and 130 Marcy avenue, northwest corner (Block No. 2434, Lot Nos. 207, 208, 209, 210 and part of Lot Nos. 213 and 214), Borough of Brooklyn.
APPEARANCES—
For Applicant: Sidney G. Hollander, William Welze and Dominick Salvati.
For Administration: Morris Hannes, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to January 10, 1939, at 2 p.m., for inspection by a committee of the board.

1170-38-A.
APPLICANT—Mortimer E. Freehof, for Nassau Savings and Loan Association, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
PREMISES AFFECTED—770-778 Eastern parkway, south side, 90 ft. west of Kingston avenue (Block No. 1271, Lot Nos. 31 and 34), Borough of Brooklyn.
APPEARANCES—
For Applicant: A. L. Jacoby and M. E. Freehof.
For Administration: Morris Hannes, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to January 10, 1939, at 2 p.m., for inspection by a committee of the board.

1172-38-A.
APPLICANT—Albert Lease, owner.
SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.
PREMISES AFFECTED—1520-1524 Bushwick avenue, south side, 50 ft. west of Aberdeen street (Block No. 3466, Lot Nos. 36 and 37), Borough of Brooklyn.
APPEARANCES—
For Applicant: Louis Horwitz and Albert Lease.
For Administration: Morris Hannes, Department of Housing and Buildings.
ACTION OF BOARD—Laid over to January 4, 1939, at 2 p.m. Board to notify owner of adjoining premises to appear.

1140-38-A.
APPLICANT—Ralph S. Wood, for One East 62nd Street Corporation, owner.
SUBJECT—Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—1 East 62nd street, north side, 100 ft. east of Fifth avenue (Block No. 1377, Lot No. 5), Borough of Manhattan.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appeal withdrawn on written request of applicant.
THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

31-38-A-WF.
APPLICANT—Austin W. Magee, for Seminole Garage, Inc., lessee and Topsy's Queens Boulevard Corp., sub-lessee; Cord Meyer Development Co., owner.
SUBJECT—Application reopened December 6, 1938, for consideration as to amendment of resolution re erection of sign—re Appeal from a decision of the borough superintendent of buildings.
PREMISES AFFECTED—112-01 to 112-09 Queens boulevard, 75-01 to 75-09 112th street, northeast corner and 112-16 to 112-40 75th avenue (Block No. 1363, Lot No. 79), Forest Hills, Borough of Queens.
APPEARANCES—
For Applicant: Austin W. Magee.
ACTION OF BOARD—Resolution amended.
THE VOTE TO AMEND RESOLUTION—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—

(31-38-A-WF)

WHEREAS, Austin W. Magee, for the Seminole Garage Inc., lessee, and Topsy's Queens Boulevard Corp., sub-lessee, filed on January 19, 1938, an application pursuant to the resolution adopted by the Board of Estimate and Apportionment on September 27, 1937, regulating the World's Fair District, for the approval of the erection of signs, as described in a decision of the Acting Borough Superintendent, Department of Housing and Buildings, affecting Premises 112-01 to 112-09 Queens boulevard, 75-01 to 75-09 112th street and 112-16 to 112-40 75th avenue (Block No. 1363, Lot No. 79), Forest Hills, Borough of Queens; and

WHEREAS, the decision of the Acting Borough Superintendent, on Application No. 9983-37, dated January 3, 1938, reads as follows:

"The erection of a sign exceeding 30 sq. ft. in area within the World's Fair Area is contrary to section 1 and 4 of the World's Fair Resolution. Appeal may be taken to the Board of Standards and Appeals."

and

WHEREAS, the building in question is one story, 18 ft.

in height, 73 ft. by 130 ft. in area, of non-fireproof construction; erected in 1930; located in a business use district and occupied as follows: Cellar—garage; 1st floor—garage and restaurant; and

WHEREAS, the building in question was the subject of a variation of the building zone resolution by this board under Cal. No. 51-30-BZ; and

WHEREAS, it is proposed to erect on the 112th street front of the restaurant portion of the building a sign 30 ft. long by 30 in. and 42 in. high, which will read as follows: "FAMOUS TOPSY'S CHICKEN," which will consist of light-green letters on a dark-green background with yellow and green neon tube illumination; and on the south wall of the restaurant portion of the premises a sign 11 ft. 6 in. by 2 ft. 6 in. in area, of the same type, reading: "TOPSY'S"; and

WHEREAS, the applicant contends that the restaurant business conducted in that portion of the building, on which the signs are proposed to be erected, is a legal occupancy in a business use district; that the sign on the 112th street front will face toward the apartment center of Forest Hills and the east-bound, Queens boulevard traffic, and the smaller sign, which will be located on the south wall, will face toward the apartment center and west-bound, Queens boulevard traffic; that both signs will be distinctive, refined and subdued in character; that inasmuch as the proposed signs are for identification of a restaurant use and will advertise the actual business conducted on the premises, it is contended that the intent of the World's Fair Resolution does not include signs of this type; and

WHEREAS, this appeal was granted by the Board February 1, 1938, on certain conditions and applicant requested an amendment of the resolution,

Resolved, that the Board of Standards and Appeals does hereby *amend* the resolution adopted by the Board on February 1, 1938, so that as amended the resolution shall read:

"*Resolved,* that the decision of the Acting Borough Superintendent, on Application No. 9983-37, be and it hereby is *modified,* and that the appeal be and it hereby is *granted,* permitting the erection of signs as indicated on plans filed with this appeal on that portion of the building to be used as a restaurant and facing on 112th street and also on 75th avenue, *and as to a sign larger than 30 sq. ft. located on garage as permitted under Cal. No. 51-30-BZ, as amended February 1, 1938, and further amended December 6, 1938, on condition* that in all other respects the signs on the building shall comply with the requirements of the resolution adopted by the board under Cal. No. 51-30-BZ, as amended February 1, 1938."

1089-38-A.

APPLICANT—Arthur C. Mandel, for Arizona Lacquer Manufacturing Company, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—7-15 Sixteenth street, east side, 64 ft. south of Hamilton avenue (Block No. 1045, Lot No. 65), Borough of Brooklyn.

APPEARANCES—

For Applicant: Arthur C. Mandel and Solomon Metrick.

For Administration: Inspector Meyer, Fire Department and Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1089-38-A)

WHEREAS, Arhur C. Mandel, for Arizona Lacquer Manufacturing Company, owner, filed on November 29, 1938, an appeal from a decision of the Acting Borough Superintendent, Dept. of Housing and Buildings, affecting premises 7-15 16th street, east side, 64 ft. south of Hamilton avenue (Block No. 1045, Lot No. 65), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent, on App. No. 14506-38, dated November 21, 1938, reads:

"1. Proposed tanks exceeding 1500 gallons capacity are contrary to the Administrative Code, Chap. 19. C-59 (M1-4). Denied."

and

WHEREAS, the building is non-fireproof, two stories (20 ft.) in height, 86 ft. 0½ in. by 83 ft. 3 in. in area; erected in 1918; located in an unrestricted use district; equipped with a sprinkler system; occupied: 1st floor—factory and garage for 2 cars; 2nd floor—office. Certificate of Occupancy was issued on July 21, 1926, No. 7114, for the following use: 1st floor—factory and garage, 2 cars; 2nd floor—light manufacturing; and

WHEREAS, the applicant contends that to operate efficiently and to eliminate the present drums, an additional underground storage of at least 7500 gallons is necessary; that there is not sufficient room to install five (5) 1,500-gallon tanks; that by the installation of the larger tanks as proposed, a great deal of underground piping will be eliminated; that there are ten (10) existing 550-gallon buried tanks, used for the storage of Xylol, Toluol, high flash naptha and thinners; that the three proposed underground storage tanks will have a capacity of 2,500 gallons each and will be used for the storage of butyl acetate, butyl alcohol and ethyl acetate.

Resolved, that the decision of the acting borough superintendent, on App. No. 14506-38 be and it hereby is *modified* and that the appeal be and it hereby is *granted* permitting the installation of three tanks, as proposed, each with a capacity of 2500 gallons and for the storage of butyl acetate, butyl alcohol and ethyl acetate, *on condition* that in all other respects the installation shall comply with the requirements of the Administrative Code, C-19.590.0, subdivisions M1 to M4, except that the fill lines shall be extended to 16th street and the fill box of approved type located at or near the building line, no fill box to be within 3 feet of a window opening of the building; that the fill boxes may be elevated above the sidewalk level, as may be required to permit proper pitch; that a concrete sill at the door to boiler room in the yard shall be constructed not less than 6 inches in height above the level of the yard.

1107-38-A.

APPLICANT—Conran Standpipe Co., Inc., for Jerome Tanenbaum, et al., owners.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—207 Greene street, west side, 177 ft. south of West Third street (Block No. 534, Lot No. 31), Borough of Manhattan.

APPEARANCES—

For Applicant: William F. Conran.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1107-38-A)

WHEREAS, Conran Standpipe Co., Inc., for Jerome Tanenbaum, et al., owners, filed on December 1, 1938, an appeal from an order and decision of the fire commissioner, af-

fecting premises 207 Greene street, west side, 177 ft. south of West Third street (Block No. 534, Lot No. 31), Borough of Manhattan; and

WHEREAS, order No. 957-LF, issued by the fire commissioner November 30, 1938, reads:

"1. Install an approved system of automatic sprinklers throughout the building having at least one source of water supply, arranged and equipped as per Article 16, Chapter 26, Administrative Code, C 19-161.0 Admin. Code."

and

WHEREAS, said order was repeated in decisions of the fire commissioner, dated November 23, 1938 and November 30, 1938; and

WHEREAS, the building is 6 stories (75 ft. 10 in.) in height, 27 ft. by 94 ft. in area; of non-fireproof construction located in unrestricted use district; occupied—Subcellar and cellar—storage of rag clippings, no persons; 1st floor—sorting of rag clippings; 2nd floor—sorting of rag clippings; 3rd, 4th, 5th and 6th floors—storage of rag clippings; and

WHEREAS, the applicant contends that the building is equipped with a fire alarm signal system and is unheated;

WHEREAS, the applicant requests that in lieu of compliance with the order, an approved Conran system of Standpipes with outlets at all floors above the 1st floor and a fire department siamese connection be accepted.

Resolved, that the order of the fire commissioner, No. 957-LF be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the existing perforated pipe system in the cellar and subcellar shall be put in proper condition satisfactory to the fire commissioner and that there shall be installed on all stories above the ground floor level, a Conran system of standpipes, as approved by the board under Cal. No. 293-37-SA and that any existing hatch openings in the floor between stories shall be equipped with automatic trap door with fusible link.

1139-38-A.

APPLICANT—J. F. Hunter, for Consolidated Edison Company of New York, Inc., owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—North side of 20th avenue, 1067 ft. north of 21st street and between Luyster Creek and East River (Block No. 850, Lot No. 1), Astoria, Borough of Queens.

APPEARANCES—

For Applicant: J. F. Hunter.

For Administration: Inspector Meyer, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1139-38-A)

WHEREAS, J. F. Hunter, for Consolidated Edison Company, of New York, Inc., owner, filed on December 8, 1938, an appeal from an order of the fire commissioner, affecting premises northside of 20th avenue, 1,067 ft. north of 21st street, between East River and Luyster Creek (Block No. 850, Lot No. 1), Astoria, Borough of Queens; and

WHEREAS, Order No. 77102-LC, issued by the fire commissioner on November 14, 1938, reads:

1. "Provide a concrete dike wall around tank No. 7, used for the storage of tar.

2. Provide a foamite fire extinguishing system for tank No. 7, used for the storage of tar."

and

WHEREAS, the premises consist of a large open area, approximately 4,200 ft. by 3,500 ft. in area, devoted to the manufacture of illuminated gas and the oil and tar distillation incidental thereto; and

WHEREAS, the applicant contends that the tank in question was formerly a reserve water tank and has since been discontinued as such and connected for use in a general plant system for the handling and storage of tar; that the tank was designed with a factor of safety of 4.1; that the roof rests on a structural steel frame and is provided with a 6 in. vent; that the tar is non-volatile and difficult to ignite at atmospheric temperature; that the tars recovered at this plant have a high-water content, as the water separates and rises to the surface; that the tank is more than a thousand feet to the nearest city street and presents no public hazard.

Resolved, that the order of the fire commissioner, No. 77102-LC, be and it hereby is *modified* and that the appeal be and it hereby is *granted on condition* that the tank shall at all times have a blanket of water over the tar to be stored not less than one foot in depth; and that no additional equipment or storage shall be installed other than now installed, as indicated on plans filed with this appeal, without the approval of the fire commissioner.

1141-38-A.

APPLICANT—John J. Gilmartin, for Heublein Corporation of New York, owner.

SUBJECT—Appeal from an order and a decision of the fire commissioner.

PREMISES AFFECTED—412 Broadway, east side, 60 ft. 9 in. south of Canal street (Block No. 196, Lot No. 7), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Gilmartin.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1141-38-A)

WHEREAS, John J. Gilmartin, for Heublein Corporation of New York, owner, filed on December 9, 1938, an appeal from an order and decision of the fire commissioner, affecting premises 412 Broadway, east side, 60 ft. 9 in. south of Canal street (Block No. 196, Lot No. 7), Borough of Manhattan; and

WHEREAS, Order No. 1646-LF, issued by the fire commissioner on July 25, 1938, reads:

"1. Provide an automatic thermostatic fire alarm system with direct connection to the central office of one of the operating companies, in connection with the non-automatic dry pipe sprinkler system now installed in the above premises. Art. 16, Ch. 26, Adm. Code."

and

WHEREAS, said order was referred to in decision of the fire commissioner on November 18, 1938; and

WHEREAS, the building, erected in 1866, is non-fireproof, 5 stories (78 ft.) in height, 24 ft. 8 in. by 175 ft. in area; located in business district; equipped with non-automatic sprinkler in basement only, and occupied: Basement—accessory to restaurant, 3 persons; 1st story—restaurant, 150 persons; 2nd story—office and showroom, 15 persons; 3rd story—office, 15 persons; 4th and 5th stories—vacant; and

WHEREAS, the applicant contends that the order refers only to the basement; that the basement ceiling is metal-covered and the floor is concrete; that the basement is occupied: washroom, kitchen, refrigerator and storage of canned goods; the building extends through to Cortlandt Alley and has an enclosed fireproof stairway at the Cortlandt Alley side, which leads to the basement as well as a

hoistway and trap door in sidewalk; that on the Broadway front there is an enclosed stairway leading from the main floor to the basement; that the present sprinkler system in the basement consists of three lines of sprinklers running from front to rear, arranged covering approximately every square foot of floor space; there is a siamese on the Cortlandt Alley side and Broadway side.

Resolved, that the order of the fire commissioner, No. 1646-LF, be and it hereby is *modified*, and the appeal be and it hereby is *granted on condition* that the existing non-automatic, dry-pipe sprinkler system, as installed in basement, be maintained to the satisfaction of the fire commissioner, without the requirement for a non-automatic fire alarm system in connection therewith.

1145-38-A-WF.

APPLICANT—Austin W. Magee, for Darr-Sal Service Station, lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—133-29 Roosevelt avenue, north side, 236.27 ft. east of Lawrence street (Block No. 4973, Lot No. 53), Flushing, Borough of Queens.

APPEARANCES—

For Applicant: Austin W. Magee.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1145-38-A-WF)

WHEREAS, Austin W. Magee, for Darr-Sal Service Station, lessee, filed December 9, 1938, an application for approval of the erection of a sign, pursuant to the provisions of the resolution adopted by the Board of Estimate and Apportionment, creating the World's Fair District, and affecting premises 133-29 Roosevelt avenue, north side, 236.27 ft. east of Lawrence street (Block No. 4973, Lot No. 53), Flushing, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, acting on Applic. No. 7019-38, dated November 30, 1938, reads:

"The erection of a sign exceeding 30 sq. ft. in area, within the World's Fair Area is contrary to Section 4 of the World's Fair Resolution."

and

WHEREAS, Section 4 of the World's Fair Resolution does not prohibit the erection of the sign, but requires the approval of the board prior to the issuance of a permit, due to the fact that the sign will exceed 30 sq. ft. in area; and

WHEREAS, the premises consist of a plot 65 ft. by 100 ft. in area, upon which there has been erected a one-story non-fireproof building, 16 ft. in height, 40 ft. by 60 ft., irregular in area, located in an unrestricted use district, erected in 1927 and occupied as a gasoline station and motor vehicle repair shop; and

WHEREAS, the sign is located on the facade of the building occupied as a lubritorium, sign being 3 ft. high and 14 ft. wide, located 11 ft. above grade; and

WHEREAS, the applicant contends that the sign was erected in 1935 and is non-illuminated; that there is also a banjo type electric sign on the premises, erected under permit issued June 30, 1937; that there is a sign painted on the wall of the adjoining building which was painted in 1934; that there is also a sign painted on the same wall in 1935; that the World's Fair Resolution was enacted since the sign in question was actually erected and advertises business conducted on the premises and cannot be seen from the Fair grounds, and that permit could be granted for the continuance of such sign without impairing the intent of the World's Fair Resolution.

Resolved, that the decision of the borough superintendent, acting on Application No. 7019-38, be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that the sign as proposed, attached to existing building, does not exceed a height of 3 ft. and a length of 14 ft. and that the sign shall be non-illuminated.

1146-38-A-WF.

APPLICANT—Austin W. Magee, for Benjamin Hougnou and Abe Alimilah, lessees.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—103-14 Roosevelt avenue, south side, 50 ft. west of 104th street (Block No. 1975, Lot No. 9), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Austin W. Magee.

For Administration: David Stone, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1146-38-A-WF)

WHEREAS, Austin W. Magee, for Benjamin Hougnou and Abe Alimilah, lessees, filed on December 9, 1938, an application for the approval of the erection of a sign, as cited in a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 103-14 Roosevelt avenue, south side, 50 ft. west of 104th street (Block No. 1975, Lot No. 9), Corona, Borough of Queens; and

WHEREAS, the decision of the borough superintendent, acting on Alt. App. No. 9512-38, dated December 8, 1938, reads:

"Sign exceeding 30 square feet in area within the World Fair Area is contrary to the World Fair Resolution."

and

WHEREAS, Section 4 of the World's Fair Resolution does not prohibit the erection of the sign in question, but requires the approval of this Board before permit can be issued, due to the fact that it exceeds 30 sq. ft. in area; and

WHEREAS, the building is 150 ft. by 140 ft. in area, of non-fireproof construction, two stories, 40 ft. in height, located in a business use district, erected in 1925 and occupied as theatre and stores; and

WHEREAS, it is proposed to erect a sign 2 ft. 6 in. high by 17 ft. 6 in. long on the face of the building, 10 ft. above sidewalk grade; and

WHEREAS, the applicant contends that the sign will advertise the business conducted on the premises and will replace an existing but slightly larger old type electric sign; that since the sign will face north and cannot be seen beyond 104th street, that a variation could be granted without altering the intent of the World's Fair Resolution.

Resolved, that the decision of the borough superintendent, acting on Alteration Application No. 9512-38, be and it hereby is *modified,* and the appeal be and it hereby is *granted* so as to permit the erection and maintenance of illuminated sign, as indicated on plans filed with this appeal, *on condition* that the sign shall not exceed a height of 2 ft. 6 in. by 17 ft. 6 in. long and shall not extend beyond the building line for a distance of more than 1 ft.

1150-38-A.

APPLICANT—John J. Gilmartin, for Charles F. Noyes, owner.

MINUTES

SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—44 Warren street, north side, 125 ft. 6 in. west of Church street (Block No. 136, Lot No. 6), Borough of Manhattan.
APPEARANCES—
For Applicant: John J. Gilmartin.
For Administration: Inspector Maher, Fire Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—

(1150-38-A)

WHEREAS, John J. Gilmartin, for Charles F. Noyes, owner, filed on December 9, 1938, an appeal from an order of the fire commissioner affecting premises 44 Warren street, north side, 125 ft. 6 in. west of Church street (Block No. 136, Lot No. 6), Borough of Manhattan; and

WHEREAS, Order No. 1726-LF, issued by the fire commissioner on November 26, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar and sub-cellar, having at least one source of water supply arranged and equipped as per Article 16, Chapter 26, Adm. Code. Plans to be filed with and approved by the Department of Housing and Buildings before work on such system. C19-161.0 Adm. Code."

and

WHEREAS, the building is non-fireproof, 5 stories (71 ft.) in height, 24 ft. 8 in. by 97 ft. in area; located in unrestricted zone; occupied—sub-cellar—storage of marine motors, 0 persons; cellar—storage of marine motors, 5 persons; 1st story—storage and sale of marine motors, 4 persons; 2nd story—electrical fixtures, 4 persons; 3rd story—printing, 5 persons; 4th story—printing, 6 persons; 5th story—engraving, 4 persons; and

WHEREAS, the applicant contends that there is very little combustible material stored in cellar and sub-cellar; access to cellar and sub-cellar is a stairway leading from 1st floor to cellar at front of building and trap door from cellar to sub-cellar, as well as sidewalk lift at the front of building; a stream of water directed from the front of building either by way of hoistway or front stairway would cover every square foot in case of fire.

Resolved, that the order of the fire commissioner No. 1726-LF be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that there shall be installed throughout the cellar and sub-cellar a non-automatic sprinkler system, complying with the requirements of Article 16 of the Building Code, except that an automatic or other type of alarm system need not be installed in connection therewith; that all pipe fittings shall be of malleable iron and the sprinkler heads may be spaced 25% in excess of the requirements, supplied from street connection by a pipe riser equal in diameter to the number of heads to be supplied in either cellar or sub-cellar, that such riser shall be not less than 3 inches or more than 4 inches in diameter; that the street pipe shall be fitted with 3-inch, single swivel pumper connection without clapper valves, as approved by the Board of Standards and Appeals for flush-type siamese; that the pumper connection shall be fitted with an approved cap or plug and shall have an approved sign indicating the type of system and portions of premises protected, said sign to be secured to wall or pumper connection; and that the signs, plugs and caps shall be painted aluminum; that such system shall replace the existing sprinkler system, not now in workable condition.

1151-38-A.
APPLICANT—John J. Gilmartin, for Catherine A. Villiers and others, owners.
SUBJECT—Appeal from an order of the fire commissioner.
PREMISES AFFECTED—173 Broadway and 8 Cortlandt street, northwest corner (Block No. 63, Lot No. 21), Borough of Manhattan.
APPEARANCES—
For Applicant: John J. Gilmartin.
For Administration: Inspector Maher, Fire Dept.
ACTION OF BOARD—Appeal granted on condition.
THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0
THE RESOLUTION—

(1151-38-A)

WHEREAS, John J. Gilmartin, for Catherine A. Villiers and others, owners, filed December 9, 1938, an appeal from an order of the fire commissioner, affecting premises 173 Broadway and 8 Cortlandt street, northwest corner (Block No. 63, Lot No. 21), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner, dated November 27, 1938, re. Order No. 2782-LF, reads:

"1. Install an approved wet automatic sprinkler system in cellar and sub-cellar having at least one source of water supply arranged and equipped as per Article 16, Chapter 26, Adm. Code."

and

WHEREAS, the building is five stories (77 ft.) in height 20 ft. by 99 ft. 3 in. in area, of non-fireproof construction, located in a business use district, erected in 1867, equipped with perforated pipe system in sub-cellar and occupied: Sub-cellar—storage of patent medicines, 3 persons; cellar—storage and sale of toys—6 persons; 1st floor—store, 8 persons; 2nd floor—beauty parlor; 3rd floor—restaurant, 15 persons; 4th floor—rubber stamps, 5 persons; 5th floor—photostat and blueprint—12 persons, for which no certificate of occupancy has been issued; and

WHEREAS, the applicant contends that the perforated sprinkler line in the sub-cellar covers every foot of floor space and is in good condition, equipped with a siamese on the Cortlandt street side of the building; that there are vault lights on the Cortlandt street side, which can be used to extinguish fire by directing a stream of water through same; that in view of these facts a modification of the order is respectfully requested.

Resolved, that the order of the fire commissioner No. 2782-LF be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that a non-automatic sprinkler system shall be installed through cellar and sub-cellar, complying with the requirements of Article 16 of the building code, except that the existing perforated pipe line in the sub-cellar may be continued in place of the sprinkler heads in such area; that an automatic or other type of alarm system need not be installed in connection with this system; that all pipe fittings shall be of malleable iron; that the sprinkler heads may be spaced 25 per cent in excess of the requirements and shall be supplied from street front by a pipe riser equal in diameter to number of heads to be supplied in any area; that in the event the perforated pipe system is retained in the sub-basement, the diameter of riser shall be determined on the basis of number of sprinkler heads that would be required therefor; that such riser shall not be less than 3 inches or more than 4 inches; that the street pipe shall be fitted with 3-inch, single swivel pumper connection without clapper valve, as approved by the Board of Standard and Appeals for flushtype siamese; that the pumper connection shall be fitted with an approved cap or plug and shall have an approved sign, indicating the type of system, said sign to be securely attached to the wall or pumper connection; and that all signs, caps and plugs shall be painted with aluminum.

MINUTES

1153-38-A.

APPLICANT—John J. Gilmartin, for Manufacturers Trust Company as agent for North Block Realty Corporation, owner.

SUBJECT—Appeal from an order of the fire commissioner.

PREMISES AFFECTED—10 Cortlandt street, north side, 99 ft. 4 in. west of Broadway (Block No. 63, Lot No. 10), Borough of Manhattan.

APPEARANCES—

For Applicant: John J. Gilmartin.

For Administration: Inspector Maher, Fire Dept.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1153-38-A)

WHEREAS, John J. Gilmartin, for Manufacturers Trust Company as agent for North Block Realty Corporation, owner, filed on December 12, 1938, an appeal from an order of the fire commissioner, affecting premises 10 Cortlandt street, north side, 99 ft. 4 in. west of Broadway (Block No. 63 and Lot No. 10), Borough of Manhattan; and

WHEREAS, the order of the fire commissioner No. 3413-LF, dated December 7, 1938, reads:

"1. Install an approved wet automatic sprinkler system in cellar and subcellar, having at least one source of water supply arranged and equipped as per Art. 16, Ch. 26, Adm. Code."

and

WHEREAS, the building is non-fireproof, 5 stories (72 ft.) in height, 21 ft. 6 in. by 116 ft. in area; located in an unrestricted use district; equipped in sub-cellar with a perforated pipe system, with a siamese connection on the Cortlandt street side; occupied: Sub-cellar—storage; cellar—stock room, 4 persons; 1st story—clothing store, 8 persons; 2nd floor—stockroom, men's clothing, 8 persons; 3rd, 4th and 5th floors—stockroom and repairing men's apparel, 10 persons on each floor; and

WHEREAS, Certificate of Occupancy No. 11068 was issued May 24, 1926, for the following occupancy: Sub-cellar—storage; cellar—shipping, 4 persons; 1st story—store, 8 persons; 2nd story—store and showroom; 3rd to 5th stories—manufacturing, 30 persons; and

WHEREAS, applicant contends that at present the sub-cellar is equipped with a perforated pipe system in good condition with a siamese connection on the Cortlandt street side; that there is very little, if any, combustible material stored in the sub-cellar, and the cellar and sub-cellar are accessible by way of a hoistway on the front of the building and a stairway at the rear of the building; that both the cellar and sub-cellar are one open space with no obstructions to any stream of water which may be directed from a line of hose by way of the stairway or hoistway; there are vault lights at the front of the building whereby an opening could be made to direct a stream of water to the cellar or sub-cellar in case of fire.

Resolved, that the order of the fire commissioner No. 3413-LF be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that a non-automatic sprinkler system shall be installed in the cellar and sub-cellar, replacing the perforated pipe system in sub-cellar, in accordance with the requirements of Article 16 of the Building Code, except that an automatic or other type of alarm shall not be required in connection therewith; that all pipe fittings shall be of malleable iron; that the sprinkler heads may be spaced 25% in excess of the requirements as therein set forth and shall be supplied from street front by a pipe riser equal in diameter to the number of heads to be supplied in either area; that such risers to be not less than 3 in. and not more than 4 in. in diameter; that the street pipes shall be fitted with 3-inch, single swivel pumper connection without clapper valves, as approved by the Board of Standards and Appeals for flush-type siamese; that the pumper connection shall be fitted with an approved cap or plug and shall have an approved sign indicating the type of system and portions of premises protected and that said sign shall be secured to wall or pumper connection; that signs, caps and plugs shall be painted aluminum.

1158-38-A.

APPLICANT—Joseph Lau, for Lorelei Restaurant Inc., lessee.

SUBJECT—Appeal from decisions of the borough superintendent of buildings.

PREMISES AFFECTED—231-237 East 86th street, north side, 218 ft. 5½ in. west of Second avenue (Block No. 1532, Lot Nos. 14½, 15, 15½ and 16), Borough of Manhattan.

APPEARANCES—

For Applicant: Joseph Lau.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(1158-38-A)

WHEREAS, Joseph Lau for Lorelei Restaurant Inc., lessee, filed on December 13, 1938, an appeal from decisions of the borough superintendent affecting premises 231-237 East 86th street, north side, 218 ft. 5½ in. west of Second avenue (Block No. 1532, Lots Nos. 14½, 15, 15½, 16), Borough of Manhattan; and

WHEREAS, the decisions of the borough superintendent on Alteration Application Nos. 3480-38 and 3481-38, issued December 8, 1938, read:

"Floor area is over 5,000 square feet. Section 4.2.1 of the building code allows a maximum of 5,000 square feet gross floor area for public buildings used for amusement in Class 3, non-fireproof construction."

and

WHEREAS, the premises consist of three (3) buildings: No. 231-233, 235, and 237 East 86th street, each 3 stories (37 ft.) in height, with a frontage of 33 ft. for No. 231-233 and 16 ft. 7 in. for No. 235, and a depth of main building of 45 ft. 1 in. Nos. 231, 233 and 235 have an extension at the rear in the first story and basement extending back to rear lot line; it is proposed to erect a similar extension on the rear of No. 237, the entire extension to be occupied by the restaurant, Certificate of Occupancy No. 17254-1931, for No. 231 and 233 reads as to occupancy: Use Class B multiple dwellings. Cellar—storage; basement—restaurant and cabaret; 1st story—offices; 2nd, and 3rd stories—furnished rooms, 14 bedrooms; and to No. 235 East 86th street: Cellar—Storage; basement—restaurant and cabaret; 1st story—restaurant; 2nd story—office; 3rd story—one family; and

WHEREAS, the applicant contends that the entire basement ceiling will be fire retarded; all enclosing walls will be of masonry; that toilet rooms and hat check rooms will be enclosed in fire retarded partitions; that there is no excavation under the extension; that the cellar ceilings will be fire retarded with one-half inch plaster boards with joints pointed; that the buildings will not connect at the basement level; that each building is separated by a 12 inch brick wall and has a separate independent means of egress direct to the street; that these buildings have been occupied as restaurants and cabaret since 1928; that the proposed extension will increase the seating capacity by 80 persons; that the modification is requested in view of the fact that

the proposed extension exceeds 5,000 square feet permitted area by a small percentage.

Resolved, that the decisions of the borough superintendent of buildings, acting on Alt. Applic. No. 3480 and No. 3481-38, be and they hereby are modified, and that the appeal be and it hereby is *granted on condition* that the buildings shall not be further extended; that any windows in the rear lot line walls shall be fireproof self-closing; that there shall be no openings from the rear portion, to be occupied as a restaurant and cabaret, to any other portion of the building above the basement floor or to the basement floor on the front portion of the building at No. 237, except for the kitchen for the restaurant on the 1st floor of No. 235; that the existing exits from the restaurant to 86th street shall not be decreased and the required exits for the residential occupancy shall be maintained; that the ceiling throughout the basement shall be of metal lath and cement plaster and the ceiling in the cellar shall be fire-retarded and meet the rules of the Board of Standards and Appeals; that in all other respects, all laws, rules and regulations applicable to construction and occupancy shall be complied with.

1160-38-A.

APPLICANT—Lama and Proskauer, for Gulf Oil Corporation, owner.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—112-12 Northern boulevard, southeast corner of 112th street (Block No. 1727, Lot Nos. 1 and 5), Corona, Borough of Queens.

APPEARANCES—

For Applicant: Alfred A. Lama.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1160-38-A)

WHEREAS, Lama and Proskauer, for Gulf Oil Corporation, owner, filed December 12, 1938, an appeal from a decision of the borough superintendent of buildings affecting premises 112-12 Northern boulevard, southeast corner of 112th street (Block No. 1727, Lot Nos. 1 and 5), Corona, Borough of Queens; and

WHEREAS, the decision of the borough superintendent on N. B. Application 5253-38, dated November 29, 1938, reads:

"Individual gasoline tank in excess of 550 gallons capacity is contrary to the provisions of Chapter 19 of the Administrative Code."

and

WHEREAS, the premises consist of a plot 102.20 ft. by 107.50 ft. in area, upon which it is proposed to erect a building 47 ft. 8 in. by 27 ft. 11 in. in area of non-fireproof construction and to install four 1,000 gallon approved type gasoline tanks for the conduct of the gasoline service station as permitted by this Board under Cal. No. 685-38-BZ, and

WHEREAS, applicant contends that the proposed installation will be more practical than the ordinary installation, in view of the fact that six 550-gallon tanks would be required with all the additional piping.

Resolved, that the decision of the borough superintendent in acting on N.B. App. No. 5253-38 be and it hereby is *modified* and that the appeal be and it hereby is *granted,* to permit the installation of four 1,000-gallon tanks for the storage of gasoline, *on condition* that in all respects other than as to size, the installation shall comply with the requirements of the Administrative Code and except that the thickness of the tanks shall be in accordance with requirements for tanks of similar size as required in the Oil Burner Rules of the Board of Standards and Appeals; and that in all other respects the requirements of the resolution in Cal. No. 685-38-BZ, in which the Board permitted the rearrangement of the gasoline selling station, shall be complied with.

1163-38-A.

APPLICANT—Morris Whinston, for Crawford Clothes, Inc., lessee.

SUBJECT—Appeal from a decision of the borough superintendent of buildings.

PREMISES AFFECTED—208 West 42nd street, south side, 80 ft. west of Seventh avenue (Block No. 1013, Lot No. 137), Borough of Manhattan.

APPEARANCES—

For Applicant: Morris Whinston.

For Administration: Fred Dahlem, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1163-38-A)

WHEREAS, Morris Whinston, for Crawford Clothes, Inc., lessee, filed on December 14, 1938, an appeal from a decision of the Borough Superintendent, Department of Housing and Buildings, affecting premises 208 West 42nd street, south side, 80 ft. west of Seventh avenue (Block No. 1013, Lot No. 137), Borough of Manhattan; and

WHEREAS, the decision of the borough superintendent on Alt. App. No. 3404-1938, dated December 2, 1938, reads:

"2. Comply with Art. 6 Bldg. Code for exits. Show height of building on plans. Fireproof enclosures required if building is over 40 ft. high."

and

WHEREAS, the building is 4 stories (44 ft.) in height, 20 ft. by 49 ft. 5 in. in area; of non-fireproof construction; located in a retail use district and occupied: Cellar—storage, 1 person; 1st floor—store, 10 persons; 2nd floor—showroom, 5 persons; 3rd floor—showroom, 5 persons; 4th floor—vacant; and

WHEREAS, the applicant contends that the present condition has existed for many years; permission is requested to occupy the 3rd floor for alteration of men's clothing as an accessory to the store on 1st and 2nd floors; not more than 5 persons to be so employed; that the entire building is now occupied by one tenant and the 4th floor will remain vacant; that the building is less than 1,000 sq. ft. in area; that the extension roof at the rear is on the same level as extension roof of adjoining building.

Resolved, that the decision of the borough superintendent, in acting on Alt. Applic. No. 3404-1938, be and it hereby is *modified,* and that the appeal be and it hereby is *granted,* as to Objection No. 2, *on condition* that the 4th floor shall remain vacant and unoccupied; that the 3rd floor shall at no time have an occupancy exceeding 5 persons engaged in factory work; that the entire building shall be occupied by one tenant; that the rear exits, consisting of fire escape with gooseneck ladder to the roof shall be maintained; that the building shall not be increased in height or area and *granted* only so long as conditions, as outlined remain and the adjoining buildings are not extended, so as to nullify the facilities for escape from the building under appeal; that in all other respects other than as varied herein, all laws, rules and regulations shall be complied with.

1166-38-A.

APPLICANT—Arnold W. Lederer, for Veronica Connaughton, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—325 East 16th street, west side,

333 ft. 7 in. north of Cortelyou road (Block No. 5147, Lot No. 55), Borough of Brooklyn.

APPEARANCES—

For Applicant: Jos. S. Byrnes and A. W. Lederer.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1166-38-A)

WHEREAS, Arnold W. Lederer for Veronica Connaughton, owner, filed December 14, 1938, an appeal from a decision of the acting borough superintendent of buildings affecting premises 325 East 16th street, west side, 333 ft. 7 in. north of Cortelyou road (Block No. 5147, Lot No. 55), Borough of Brooklyn; and

WHEREAS, the decision of the borough superintendent on Application No. 17539-38, dated December 9, 1938, reads:

"Records of this department do not show use of attic for living quarters or occupancy of the building for two families. Proposed new kitchen and other living rooms in attic in a frame building is contrary to section 4.2.1 and section 8.7.2.1 of Building Code."

and

WHEREAS, the building is 2½ stories (30 ft.) in height, 30 ft. by 40 ft. in area on a lot 50 ft. by 100 ft. in area, of frame construction, erected 1890 as a one-family dwelling; located in a residence use "B" area district; to be occupied as follows: Cellar—storage; 1st floor and attic—1 family; 2nd floor—1 family; and

WHEREAS, the applicant contends that the kitchen formerly on the 1st story has been relocated in the attic; and that the affidavit has been filed with the alteration application certifying that the building will not be used for more than two families.

Resolved, that the decision of the borough superintendent, in acting on Application No. 17539-38, be and it hereby is *modified,* and that the appeal be and it hereby is *granted,* permitting the occupancy of the 3rd or attic story, as proposed, with one family on the 1st and attic stories and one family on the 2nd story, *on condition* that a second means of exit from the attic story shall be provided, which may consist of an exterior ladder fire escape with a counterbalanced or sliding ladder to the ground; that in all other respects all laws, rules and regulations applicable to construction and occupancy of the building shall be complied with and that a stipulation shall be filed by the owner with the superintendent of buildings, that the building will not be increased in height or area or at any time be occupied by more than two families.

1168-38-A.

APPLICANT—Edwin H. Thatcher, for Polytechnic Institute of Brooklyn, owner.

SUBJECT—Appeal from a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—81 Livingston street, north side, 52 ft. east of Court street (Block No. 266, Lot No. 4), Borough of Brooklyn.

APPEARANCES—

For Applicant: Edwin H. Thatcher.

For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Appeal granted on condition.

THE VOTE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(1168-38-A)

WHEREAS, Edwin H. Thatcher, for Polytechnic Institute of Brooklyn, owner, filed December 13, 1938, an appeal from a decision of the acting borough superintendent of buildings, affecting premises 81 Livingston street, north side, 52 ft. east of Court street (Block No. 266, Lot No. 4), Borough of Brooklyn; and

WHEREAS, the decision of the acting borough superintendent acting on Applic. No. 18283-1938, dated December 6, 1938, reads:

"Show water piping installation, as per Sections No. 14-3-9 A & B of No. 14-3-10A and 14-3-14."

and

WHEREAS, the building is 5 stories (115 ft.) in height, 117 ft. by 98 ft. in area, of non-fireproof construction, located in a business use district, erected in 1890, occupied: cellar—gymnasium and boiler room; 1st to 4th floors inclusive—classrooms and laboratories; 5th floor—laboratory; and

WHEREAS, the applicant contends that to service the laboratory tables on the 5th floor, copper tubing was used for cold water supply, connected to a gravity tank above the 5th floor; that no tubing will exceed 1½ in. inside diameter; that all fittings will be sweat fittings of the Mueller type; that pressure on lines will not exceed 50 lbs.; that tubing will be protected from mechanical injury and system will be tested to 250 lbs.; that it would be a hardship to remove the copper tubing which is now in.

Resolved, that the decision of the acting borough superintendent, acting on Application No. 18283-1938, be and it hereby is *modified,* and the appeal be and it hereby is *granted on condition* that copper tubing as proposed may be used to conduct water to laboratory tables, provided such tubing is not connected with the general water supply of the building and is fed solely from a gravity tank on the roof and discharges into waste lines of the building.

488-37-A.

APPLICANT—U. S. Industrial Alcohol Co., owner.

SUBJECT—Application for consideration—reopening and amendment—re appeal from a decision of the fire commissioner relative to the manufacture, storage, sale and transportation of anti-freeze (inflammable mixtures) in non-refillable cans in New York City.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Appeal reopened and resolution amended.

THE VOTE TO REOPEN AND AMEND RESOLUTION—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(488-37-A)

WHEREAS, E. I. DuPont DeNemours & Co., Inc., United States Industrial Alcohol Co. and Carbide and Carbon Chemicals Corporation, applicants, filed October 14, 1937, an appeal from a decision of the fire commissioner, relative to the manufacture, storage, sale and transportation of Anti-Freezes (inflammable mixtures), in non-refillable cans within the City of New York; and

WHEREAS, the decision of the fire commissioner, dated October 8, 1937, reads as follows:

"Please be advised that this department cannot issue Certificates of Approval for the transportation or sale, and permits for the manufacture, transportation, storage or sale of the anti-freezes you refer to (inflammable mixtures) for the reason that

"'Inflammable mixtures shall be packed and shipped in cans of a capacity not exceeding five

(5) gallons each; cans to be fitted with a tight fitting replaceable top, cap or other device, so made that the can shall be air-tight when closed; or in steel barrels or drums of a capacity not exceeding fifty-five (55) gallon each.'

"NOTE: The cans for the inflammable mixtures submitted by you to this department have been disapproved."

and

WHEREAS, the applicants contend that an application was made for a certificate of approval to keep anti-freeze for sale, use and storage in sealed cans without tight fitting replaceable top, said containers not to exceed one gallon capacity; and

WHEREAS, said application was the subject of an opinion of the corporation counsel, addressed to the fire commissioner, and, also, of a decision by the Board of Hazardous Trades; that the sealed non-refillable one gallon and one quart cans now being used are safe containers; and

WHEREAS, the three corporations joining in this appeal, propose to market the anti-freeze mixtures consisting primarily of denatured alcohol *and/or methanol* with coloring matter and anti-rust compound added, through various agencies and under various trade names; and

WHEREAS, this application was granted by the board October 19, 1937, on certain conditions, resolution amended November 3, 1937, November 23, 1937, and October 4, 1938 and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby amend its resolution adopted October 19, 1937, as amended November 3, 1937, and October 4, 1938, so that as amended it shall read:

"*Resolved,* that the decision of the fire commissioner dated October 8, 1937, be and it hereby is *modified* and that the appeal be and it hereby is *granted,* permitting the transportation, sale, storage and manufacture of anti-freeze (inflammable mixture) as described in this appeal in one gallon cans and in one quart cans without a tight-fitting replaceable top, *on condition* that there shall appear on each can, a prominent notice reading 'UPON OPENING REMOVE ENTIRE CONTENTS AT ONCE'; that each notice shall have white letters on a fire department red background or fire department red letters on a white or aluminum background; that for the balance of the year 1937 such cans as are manufactured without this notice shall bear a similar notice pasted upon each, reading as herein required; that after January 1st, 1938, such notice shall be part of the lithographed label on the side or top surface of the can; and that the label shall also contain the additional words:

'THIS CONTAINER FOR ANTI-FREEZE APPROVED BY THE BOARD OF STANDARDS AND APPEALS UNDER CAL. NO. 488-37-A';

that the application to the fire commissioner shall state the name of the manufacturer of such anti-freeze."

Resolved, further, that these products may be marketed in cans bearing the name and addresses of the following manufacturers or agents with their respective brand or trade names as follows:

By E. I. DU PONT DENEMOURS & CO., INC.
DuPont Zerone Anti-Rust Anti-Freeze
DuPont Five Star Anti-Freeze
By GENERAL MOTORS PARTS CORPORATION
Genuine General Motors Anti-Freeze
By U. S. INDUSTRIAL CHEMICALS INC.
Subsidiary of the U. S. Industrial Alcohol Co., Inc.
Super Pyro Anti-Freeze
By CARBIDE AND CARBON CHEMICALS CORP.
Winter-Flo Anti-Freeze
Blue-Flo Anti-Freeze
By SINCLAIR REFINING CO., INC.
Sinclair Super Anti-Freeze
By SEARS, ROEBUCK & CO.
Durozone Anti-Freeze
By PURE OIL CO.
Purol Anti-Freeze
By THE GOODYEAR TIRE & RUBBER CO.
All Weather Anti-Freeze
By FIRESTONE TIRE & RUBBER CO.
Firestone Super Anti-Freeze.
By AMERICAN OIL COMPANY
Amoco Super Anti-Freeze
By TIDE WATER ASSOCIATED OIL COMPANY
Veedol High-Test Anti-Freeze.

VARIATIONS OF LABOR LAW

1156-38-S.

APPLICANT—A. C. Lefante, for Andrew Schirrmeister, owner.

SUBJECT—Variation of the Labor Law as cited in an order and a decision of the borough superintendent of buildings.

PREMISES AFFECTED—661-663 Broadway, east side, 161 ft. 10½ in. south of Varet street (Block No. 3112, Lot No. 5), Borough of Brooklyn.

APPEARANCES—
For Applicant: A. C. Lefante.
For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Application withdrawn on request of applicant.

THE VOTE TO WITHDRAW—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

797-38-S.

APPLICANT—Jack Z. Cohen, for Louis Trotner, owner.

SUBJECT—Variation of the labor law as cited in an order of the fire commissioner and a decision of the acting borough superintendent of buildings.

PREMISES AFFECTED—959-961 East 85th street, east side, 200 ft. north of Avenue J, (Block No. 8022, Lot No. 16), Borough of Brooklyn.

APPEARANCES—
For Applicant: Jack Z. Cohen.
For Administration: Morris Hannes, Department of Housing and Buildings.

ACTION OF BOARD—Application granted on condition.

THE VOTE—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(797-38-S)

WHEREAS, Jack Z. Cohen, for Louis Trotner, owner, filed September 15, 1938, an application for a variation of the labor law as cited in an order of the fire commissioner and a decision of acting borough superintendent of buildings affecting premises 959-961 East 85th street, east side, 200 ft. north of Avenue J (Block No. 8022, Lot No. 16), Borough of Brooklyn; and

WHEREAS, Order No. 600-LF issued by the fire commissioner, June 16, 1938, reads:

"Arrange bars on windows on 1st story so as to be readily movable or removable from both sides in such a manner as to afford the free and unobstructed use of such windows for the purpose of egress as per Section 272 of the Labor Law."

and

WHEREAS, said order was repeated in a decision of the acting borough superintendent of buildings dated December 16, 1938; and

WHEREAS, the building is 3 stories (34 ft.) in height, 36 ft. by 100 ft. in area at 1st floor and 25 ft. by 60 ft. in area above, erected in 1926, of non-fireproof construction on first story and frame above, occupied: cellar—ordinary, no persons; 1st floor—2-car garage and finishing of men's clothing, 100 persons; 2nd floor—1 family; 3rd floor—1 family; for which certificate of occupancy No. 86011 was issued February 2, 1938; the building is equipped with 1 interior stairs, 3 ft. 4 in. wide, of wood construction, and one fire escape at rear with exit to the open yard at the rear by ladder from the roof of the one story extension; windows on the course are plain glass, wood frames, there are 22 windows on the first story, equipped with iron bars; and

WHEREAS, the applicant contends that the stock kept on the first story is valuable and barred windows are required as a measure against burglary; that the actual work performed on the premises consists of hand needle work and there is nothing hazardous involved and that there are adequate means of egress from the first floor.

Resolved, that the Board of Standards and Appeals does hereby *make a variation* in the requirements of the labor law, and that the application be and it hereby is *granted,* modifying the decision of the acting borough superintendent of buildings, dated December 16, 1938, calling for the removal of the bars on windows in the 1st story, but permitting such bars to remain, *on condition* that the existing exits shall not be diminished and in addition there shall be a doorway constructed in the northerly wall opening to the 4 ft. side court, at a point approximately 60 ft. from East 85th street.

APPLIANCES SUBMITTED FOR APPROVAL

547-37-SA.

APPLICANT—Fairfield Oil Heating Co., Inc., owner.
SUBJECT—Fairfield Model F Jr. Oil Burner—approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appliance approved in accordance with report of the engineer of the board.
THE VOTE TO APPROVE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(547-37-SA)

WHEREAS, the Fairfield Oil Heating Co., Inc., owner, filed November 17, 1937, an application with the Board of Standards and Appeals for approval of the appliance known as the Fairfield Model F Jr. Oil Burner; and

WHEREAS, this appliance was submitted to the engineer of the board for test and report; and

WHEREAS, the report of the engineer of the board supplemented by that of the representatives of the Division of Combustibles of the Fire Department, included description and recommendation as follows:

The burner was inspected and tested at 339 Leland avenue, The Bronx. The burner was installed in a standard domestic steam heating boiler and consists of the following assembly: 1/20 H.P. Emerson motor; a Webster fuel unit, consisting of pump, regulating valve and strainer; a Monarch nozzle with capacty up to two gallons; and a Torrington fan.

Ignition—electric, Webster transformer 110 to 10,000 volts.

Controls—Minneapolis Honeywell, consisting of Protecto-Relay R117-3 and Pressuretrol L-404.

With an oil supply shut off and a cold combustion chamber, the burner was put into operation and on two successive tests the controls functioned and shut the burner down in 70 and 74 seconds respectively. The burner was then put into normal operation and during the period of test there were no flare backs due to faulty ignition and the flame was clean and free of smoke and soot. Examination of the combustion chamber showed no undue carbon deposits.

As a result of this inspection and test it is recommended that the Fairfield Model F Jr. Oil Burner be approved for domestic use when installed in accordance with the Oil Burner Rules adopted by the Board of Standards and Appeals.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Fairfield Model F Jr. Oil Burner for domestic installations, with fuel oil not heavier than No. 3, U. S. Dept. of Commerce standards, when installed in accordance with the Oil Burner Rules of the Board of Standards and Appeals and with the above report, *on condition* that the appliance shall bear a label permanently affixed thereto reading:

Approved by the
Board of Standards and Appeals
for Use in New York City
Under Cal. No. 547-37-SA.

998-38-SA.

APPLICANT—Phoenix Ventilator Company, owner.
SUBJECT—Phoenix Duo-Cone Syphon Ventilator—approval of.
APPEARANCES—
For Applicant: None.
ACTION OF BOARD—Appliance approved in accordance with report of the Committee on Tests.
THE VOTE TO APPROVE APPLIANCE—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh	4
Negative	0
Absent	0

THE RESOLUTION—

(998-38-SA)

WHEREAS, the Phoenix Ventilator Company, owner, filed November 7, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Phoenix Duo-Cone Syphon Ventilator under the provisions of Section 200, Multiple Dwelling Law, and Section C26-262-3C Administrative Code (5.1.5.3 BC); and

WHEREAS, the appliance was submitted to the committee on tests of the Board for test and report; and

WHEREAS, the report of the committee on tests was as follows:

REPORT OF COMMITTEE ON TESTS.

Re: Cal. 998-38-SA
Phoenix Duo-Cone Syphon Ventilator.

The Phoenix Ventilator Co., owner, filed November 7, 1938, an application with the Board of Standards and Appeals for approval of the appliance known as the Phoenix Duo-Cone Syphon Ventilator, under the provisions of section 200, Multiple Dwelling Law, and Section C-26-262-3 C Administrative Code (5.1.5.3 BC).

This appliance is designed to provide natural ventilation without back drafts and to be rain and storm proof. It is constructed of galvanized steel, cold rolled copper or lead coated copper in sizes ranging from 8 inches in diameter to 60 inches in diameter, 26 to 18 gauge galvanized or 16 to 24 gauge copper and has an adequate exhaust capacity on a 20 ft. stack with 20° F. temperature difference at 5 m.p.h. wind velocity. The appliance is designed with an outer hood and a double inner cone with suitable cross bracing.

This appliance was tested at the school of aeronautics at New York University, result of which test is part of the record in the case and showed that for a 12 in. diameter ventilator the exhaust capacity at a

wind velocity of 5 miles per hour was 20,000 cu. ft. per hour.

The appliance was inspected and tested by the committee on tests of the board. On the basis of these tests and inspection it is recommended that the Phoenix Duo-Cone Syphon Ventilator be approved for use in New York City under the provision of Section C-26-262-3-C Adm. Code (5.1.5.3 BC) and Section 200 Multiple Dwelling Law on condition that the appliance bear a label permanently affixed thereto reading, "Approved by the Board of Standards and Appeals for use in New York City under Cal. 998-38-SA."

(Sgd.) CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the appliance known as the Phoenix Duo-Cone Syphon Ventilator, when manufactured, installed and labelled in accordance with the above report.

MATERIALS SUBMITTED FOR APPROVAL

792-38-SM.

APPLICANT—Kinnear Mfg. Co., Inc., owner.

SUBJECT—Approval of Kinnear Steel Rolling Door, Akbar Type, manufactured by Kinnear Mfg. Co., Inc.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE MATERIAL—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(792-38-SM)

WHEREAS, the Kinnear Mfg. Co. of New York City, owner, filed September 14, 1938, an application with the Board of Standards and Appeals from approval of the material known as the Kinnear Steel Rolling Door, Akbar Type, under the provisions of Section C.26-610.0 Administrative Code (10.1.18 B.C.) and C.26-660.0 Administrative Code (10.8.1 B.C.); and

WHEREAS, this material was submitted to the Committee on Tests of the board for test and report; and

WHEREAS, the report of the Committee on Test was as follows:

REPORT OF COMMITTEE ON TESTS.

December 2, 1938

Re: Cal. No. 792-38-SM.
Subject: Kinnear Steel Rolling Door, Akbar Type.

The Kinnear Mfg. Co., Inc. of New York City filed on September 14, 1938 a request for the approval of the Kinnear Steel Rolling Door on the basis of a 3 hour requirement for the protection of openings in fire walls, as provided for in C 26-610.0 (10.1.18 B.C.) and C 26-660.0 (10.8.1 B.C.).

The details of the construction of the Kinnear Steel Rolling Door and the results of a test of the fire retardant performance of this door when subjected to a 3 hour fire test at the Underwriters' Laboratories, Chicago, Illinois, as witnessed by the undersigned, are as follows:

Details of Test Door.

The typical door, (See Figure 1), selected for the test, was the Kinnear Steel Rolling Door known as Akbar F.M.A. This door was constructed to protect a 9 ft. wide x 10 ft. high opening, in a fire wall. It consisted of a single door, with a spring counter-balanced curtain made of No. 20 U. S. Gauge hot galvanized open hearth steel, with interlocking type slats. These slats are provided with malleable iron endlocks at each alternate slat and provided with a rib baffle with each alternate slat equipped with malleable iron end clips, thus furnishing a curtain with a continuous end baffle which fills the concave portion of the slats. The curtain, as made up of these slats, extends from sill to center of spring barrel, plus one and one-half times the diameter of the barrel, and extending sidewise into the guides to a depth of 2⅛ in. The top slat of the curtain is secured to the four rings of the barrel by two 5/16 in. bolts at each ring. The bottom of the curtain is provided with an angle on each side, 1½ in. x 1½ in. x ⅛ in., and fastened to the curtain by means of a 4 in. x ⅛ in. plate. **See recommendation of the committee as to the bottom bar and angles.* The barrel itself is a steel boiler tube .134 in. thick and 4½ in. in diameter, with the ends closed by means of cast iron plugs through which the shafting passes. The plug at the automatic release side is extended and is provided with roller bearings in the bracket. The shaft is stationary in the opposite bracket, the barrel end revolving about this fixed shaft is equipped with ball bearings. The barrel is provided with counterbalancing helical, springs. The automatic driving spring is wound to counteract the counterbalancing spring, and when released brings the door to a closed position. The barrel is equipped with 11 in. involute malleable rings clamped on with a ⅜ in. bolt and keyed to the barrel with a ⅜ in. round lug. The brackets are of cast iron and contain bearings for the support of the barrel and curtain coil, carry the hood housing the coil and forming a base for the automatic mechanism. Integral lips on the bracket guide the curtain into the grooves and act as a stop for the bottom bar of the curtain. Each bracket is provided with three ½ in. holes for attachment to overhead lintel. The hood over the curtain coil is No. 24 U. S. Gauge galvanized steel and attached to the brackets and lintel. It carries an auxiliary inside hood held by a fusible link which is actuated by excessive heat, causing this inside hood to drop on the curtain coil, thus providing a baffle which prevents the passage of the hot gases over the top of the coil when the curtain is closed. The grooves which contain the curtain consist of two 2¾ in. x 2¾ in. x 3/16 in. angles sheared to fit and one 2 in. x 2 in. x 3/16 in. bolting angle with holes on 1 ft. 3¾ in. centers for attaching to wall. The holes through which the fastening of the guides is obtained are protected against expansion by slotting.

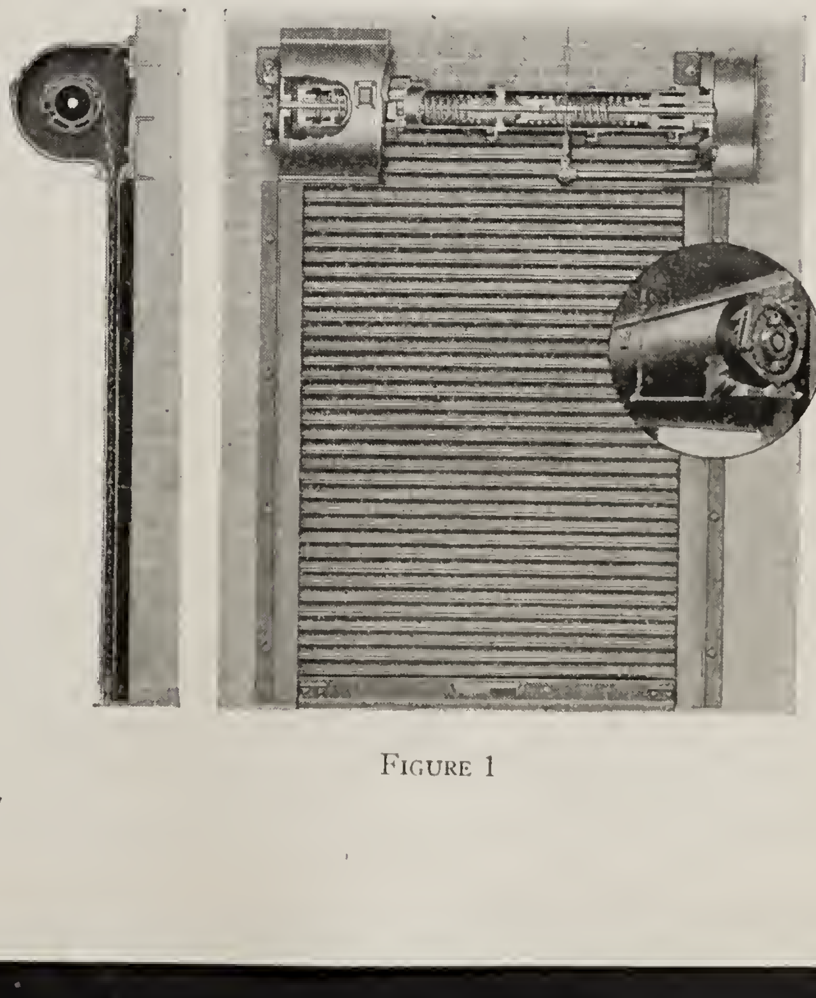

FIGURE 1

The automatic closing device consists of an adjustment wheel attached directly to a shaft holding one end of the auxiliary driving spring, an escapement wheel secured to the adjustment wheel by removable rivet pins and lugs, and a governor ring acting against the escapement wheel. The governor prevents rotation of the escapement and adjustment wheels when it is held by the release levers, thus preventing the driving spring from acting when the adjustment wheel cannot revolve. The action of the escapement wheel and governor retards the mechanism when released, thus insuring safe operating speeds. The release levers retaining the governor ring, the automatic closing mechanism, are held in place by a fusible link. A wheel known as a traveler guide is unattached to any shaft and held against rotation by a rivet pin through a lug cast to the bracket and one of the notches on the wheel. This wheel is provided with a slot engaging a monel metal traveler which also engages in a spiral groove in the spiral wheel. A similar slot is in the escapement wheel. The spiral wheel, equipped with spiral grooves on both sides is located between the traveler guide wheel and the escapement wheel, and attached to the spring barrel by being keyed to the tubular extension of the end plug. A monel metal traveler is provided for each side with one end of the T-shaped traveler extending into the slots of the adjacent wheel and the other elongated and traveling in the spiral groove. Thus the spiral wheel turns back and forth during operation and the travelers move as constrained. Further travel downward of the spiral wheel is prevented by the travelers in the traveler guide wheel adjacent to the bracket which provides a lock, holding the barrel against further unwinding when the door is closed and uncoiling the extra curtain into the guides. The traveler actuating the escapement wheel locks the spiral wheel when the curtain is fully coiled and prevents further coiling. This brings the escapement wheel in direct contact with the spiral wheel, keyed to the spring barrel extension which, when revolved by the auxiliary driving spring, causes the curtain to be uncoiled to a closed position by action of this spring when the levers are released. Automatic closing does not affect the adjustment of the spring counterbalance, as the driving spring power is restored by pushing the door to an open position. The drawings of this door and its mechanism have been filed by the applicant, as well as a report of the Underwriters, covering the fire test conducted for the committee, as follows:

This door (Akbar type) was subjected to the Three-Hour Fire Test of opening Protective Assemblies, as specified in Article 11, Fire Resistive Construction, Sub Article 1 Fire Resistive Materials, Group 5 Fire Tests, Group 6 Fire Test Structure, Group 7 Fire Test Samples, and Group 9 Hose Stream Test, Administrative Code, to meet the requirements of C26-610.0 A.C. (10.1.18 B.C.) for fire walls three hours. This test was performed at the underwriters' laboratories, Chicago, Illinois, on October 20, 1938, and a copy of their report of this test is filed with this record.

The test assembly was designed for mounting on one face of a fire wall with an opening 9 ft. in width and 10 ft. in height. The Akbar door mounted thereon, unpainted but galvanized, was inspected and labeled by the underwriters. The fire was exposed to one face of the door for the required three hours, after which time the panel was withdrawn from the furnace and subjected to the hose stream test with the results as indicated in the underwriters' report, indicating that the door met the requirements for the three hour rating. It is significant to note that some difficulty was experienced in maintaining furnace temperatures, due slightly to a bulge in the door and to the radiant heat which emanated therefrom, but the resulting temperatures during the three hour period met the requirements of C26-580.0 A.C. Sub. c (10.1.5.2 B.C.). There was no passage of flame or smoke through the door in any significant amounts, and the door satisfactorily met the requirements of the hose stream test. There was, however, a condition of warping in the bottom bar of the door, because of the lack of provision for expansion* (See conditions of approval). The other conditions of expansion of all door parts, warping of the curtain, and deflection of the barrel, were constructed with ample provision to meet the conditions of service as may be reflected by this fire test.

On the basis of this test, the committee recommends the approval of the Kinnear Mfg. Co. door type Akbar, when manufactured in sizes permitted by the building code, as meeting the requirements of C26-610.0 A.C. (10.1.18 B.C.) and C26-660.0 A.C. (10.8.1 B.C.) as a three hour protective assembly, excepting that these doors *are not to be used* as required means of egress. Where there is combustible material within 15 ft. of the opening, two such doors are to be installed in each opening.

It is also recommended that each Akbar door be provided with a metal label with raised letters, reading as follows: Approved by the Board of Standards and Appeals for use in New York City, under Cal. No. 792-38-SM.

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*To prevent warping of the bottom bar, it is recommended that adequate means such as slotting all holes in the bar except the center hole or shortening of the ends be provided for, so as to allow for any expansion due to fire exposure.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
PATRICK WALSH,
Assistant Chief, Fire Dept.

Resolved, that the Board of Standard and Appeals does hereby *approve* the material known as the Kinnear Steel Rolling Door, Akbar Type, when manufactured, installed and labelled in accordance with the above report.

871-38-SM.

APPLICANT—Dardelet Threadlock Corporation, owner.

SUBJECT—Dardelet Self-Locking "Rivet-Bolt"—approval of.

APPEARANCES—
For Applicant: Harkness W. Cram.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE MATERIAL—
Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—
(871-38-SM)

WHEREAS, the Dardelet Threadlock Corporation, owner, filed October 10, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Dardelet Self-Locking "Rivet-Bolt," under the provisions of Sec. C-26-521.0, Administrative Code (8.6.2.9 B.C.) and C-26-368.06 4A and 5A, Administrative Code (7.4.5.4 and 7.4.5.5 B.C.); and

WHEREAS, this material was submitted to the committee on tests of the board; and

WHEREAS, the report of the committee on tests was as follows:

REPORT OF COMMITTEE ON TESTS.
December 16, 1938.

Cal. No. 871-38-SM.
Subject: Dardelet Self-Locking "Rivet-Bolt."

The Dardelet Threadlock Corp., filed October 10,

MINUTES

1938, with the Board of Standards and Appeals, an application for approval of the Dardelet "Rivet-Bolt."

This bolt and nut were tested in single and double shear plate assemblies on December 5, 1938, in Columbia University. The bolt is made of carbon manganese steel—carbon 0.18% to 0.24%; manganese 0.75% to 1.00% with a minimum tensile strength of 70,000 lbs. per square inch. The nut is made of cold rolled bar stock 0.15% to 0.20% carbon. Both bolt and nut have Dardelet self-locking screw threads. The plate material conforms approximately to A.S.T.M. A-10-34 for mild steel plates.

Tests were conducted at Columbia University Civil Engineering Laboratory, on splices, with results as follows:

No. 1—Lap Joint—Single Shear: 2 ⅜-in. x 12-in. plates bolted together with 3 ¾-in. Dardelet Rivet-Bolts.

No. 2—Butt Joint—Double Shear: 2 ⅜-in. x 12-in. plates and 1 ¾-in. x 12-in. plate bolted together with 5 ¾-in. Dardelet Rivet-Bolts.

No. 3—Lap Joint—Single Shear: 2 ⅜-in. x 12-in. plates bolted together with 5 ¾-in. Dardelet Rivet-Bolts.

No. 4—Butt Joint—Double Shear: 2 ⅜-in. x 12-in. plates and 1¾-in. x 12-in. plate bolted together with 3 ¾-in. Dardelet Rivet-Bolts.

Results of Test

Type of Joint	No. of Rivet-Bolts	Maximum Applied Load. lbs.	Character of Failure
No. 1 Lap Joint (Single Shear)	3	83,000	2 rivet-bolts sheared off, one on each gauge line,
No. 2 Butt Joint (Double Shear)	5	278,000	All 5 rivet-holes sheared off
No. 3 Lap Joint (Single Shear)	5	131,000	All 5 rivet-bolts sheared off
No. 4 Butt Joint (Double Shear)	3	163,000	All 3 rivet-bolts sheared off

On the basis of these tests, it is recommended that the Dardelet "Rivet-Bolt" and Nut, when made of materials conforming to the specifications of this report, be approved for use under Section C-26-521.0, Administrative Code 8.6.2.9, providing the conditions under which bolting may be used under Section C-26 368.06, 4-A and 5-A, Administrative Code 7.4.5.4 and 7.4.5.5, allowing the same shearing stress—13,500 lbs. per sq. in. and the same bearing stresses—30,000 lbs. when in double shear; 24,000 lbs. when in single shear, as is allowed in these sections for turned bolts in reamed holes.

These bolts, when used in New York City, shall be tagged or stamped Cal. No. 871-38-SM.

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Dardelet "Rivet-Bolt," for use in New York City under the conditions set forth in the report, when manufactured, installed and labeled in accordance with the report.

989-38-SM.

APPLICANT—Insulated Interlocking Brick and Tile Corporation, owner.

SUBJECT—Munlock Interlocking Brick—approval of.

APPEARANCES—

For Applicant: None.

ACTION OF BOARD—Material approved in accordance with report of the Committee on Tests.

THE VOTE TO APPROVE MATERIAL—

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4
Negative 0
Absent 0

THE RESOLUTION—

(989-38-SM)

WHEREAS, the Insulated Interlocking Brick and Tile Corporation, owner, filed November 5, 1938, an application with the Board of Standards and Appeals for approval of the material known as the Munlock Interlocking Brick, under the provisions of Sec. C.26-307.0 and C.26-355.0 Administrative Code (7.1.1.2.1, 7.4.2.1 and 7.4.2.2.BC); and

WHEREAS, this material was submitted to the committee on tests of the board for test and report; and

WHEREAS, the report of the committee on tests was as follows:

REPORT OF COMMITTEE ON TEST

December 19, 1938.

Cal. No. 989-38-SM.
Munlock Interlocking Brick.

The Insulated Interlocking Brick & Tile Corporation, filed November 5, 1938, an application with the Board of Standards and Appeals for approval of the material, known as the Munlock Interlocking Brick under the provisions of (Sec. 7.1.1.2.1, 7.4.2.1 and 7.4.2.2 BC) Sec. C26-307.0 and C26-355.0 Administrative Code.

This material is a hollow clay product to be manufactured by manufacturers of brick or terra cotta under license of the corporation from brick, clay or shale, hard or medum hard burned, sound and of compact structure, uniform in shape, free from stones or pebbles and without excessive lamination or warping, and is designed with an interlocking ridge and lateral voids. The upraised interlocking joint is left mortarless in the wall construction as a method of waterproofing the wall. The bricks are manufactured 8 inches long and 4, 8 or 12 inches wide. The nominal height of the side is 2½ inches and at the mid-line 3½ inches.

These bricks were tested at the School of Engineering Testing Laboratory, George Washington University, Washington, D. C., to a total load of 2,110 lbs. per sq. in. Failure when produced was by a general crushing of the webs. The material has been inspected by the committee on tests of the Board of Standards and Appeals.

On the basis of this data, it is recommended that the Munlock Interlocking Brick be approved for use in the City of New York in non-load bearing walls and partitions under the same conditions; that hollow tile blocks may be used and subject to the same tests as other blocks on condition that all interlocking masonry units shall be laid with full mortar bed, except that no mortar shall be used at the water stop; mortar on vertical joints shall extend not less than 2 inches nor more than 3 inches back from face of the wall and shall conform in all respects to requirements of the Administrative Code and that the brick shall be labeled "Approved by the Board of Standards and Appeals, Cal. No. 989-38-SM."

(Sgd.) BERNARD A. SAVAGE,
Commissioner.
CHARLES M. BLUM,
Commissioner.
LESLIE V. HUBER,
Chief Engineer.
Committee.

Resolved, that the Board of Standards and Appeals does hereby *approve* the material known as the Munlock Interlocking Brick for use in New York City, in non-bearing walls and partitions under the same conditions that hollow tile blocks may be used and subject to the same tests, when manufactured, installed and labeled in accordance with the above report.

Recessed at 6:00 P. M. to December 23, 1938, at 10 A. M.

Reconvened December 23, 1938, adjourned 1:00 P. M.

EDWARD V. BARTON, *Chief Clerk.*

MINUTES

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, March 15, 1938, as they appeared in Bulletin No. 12, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(1350-27-BZ)

WHEREAS, Frederick J. Flynn, for Infried Realty, Inc., owner, filed, December 29, 1927, an application, under the building zone resolution, to permit in a business district the erection and maintenance of a garage for the storage of more than five motor vehicles; premises 2100-2110 Jerome avenue, east side, 225.51 feet south of East 181st street (Block No. 3179, Lot No. 20), Borough of The Bronx; and

WHEREAS, this application was granted by the board at its meeting July 27, 1928, on certain conditions and owner requested an amendment of the resolution.

Resolved, that the resolution adopted by the board on July 27, 1928 be and it hereby is *amended*, only so far as it has reference to signs, so that as amended the resolution shall read:

"*Resolved*, that the Board of Standards and Appeals does hereby *make a variation* in the application of the use district regulations of the building zone resolution, and that the application be and it hereby is *granted on condition* that the building as proposed shall not exceed a height of two stories above grade; that the rear and gable walls, unless opening within the property of the same lot or plot and in the same single ownership, shall be unpierced throughout their entire height and length; that any runway or ramp installed or maintained in this building shall be set back at street grade level not less than 10 feet from the front wall of the building; that the front elevation shall be finished with face brick, architectural terra cotta or stone trimmings, panel design, other than the store show windows if installed; that there shall be no roof signs erected; that no signs or advertising display shall be exposed on the front of the structure other than a projecting electric sign, indicating the title and type of business conducted on the premises *and one projecting sign, which may be illuminated, advertising only the brand of gasoline on sale, such sign to extend beyond the building line for a distance of not more than* 5 *feet*, that any *other signs for* advertising shall be limited to fixed letters affixed to plate glass show windows; that all permits required shall be obtained within nine months and any work involved shall be completed within eighteen months from the date of this action, and that the building shall be constructed in accordance with the requirements of the zoning resolution in all other respects.

* Correction—The words *"which may be illuminated"* inserted in line 34 of resolution.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, December 6, 1938, as they appeared in Bulletin No. 50, Vol. 23, are hereby corrected to read as follows:

39-34-BZ.

APPLICANT FOR RESCINDMENT—William R. Murphy, representing neighboring property owners.

OWNER OF PREMISES—Murray B. Hillman, for Dale Carnegie.

SUBJECT—Application for consideration, reopening, rescindment of resolution re Application (decision of the commissioner of buildings) under section 21 of the building zone resolution, permitting in a residence use district, the change of occupancy of an existing building to business use (restaurant) for a temporary period.

PREMISES AFFECTED—Northwest corner of Pembroke avenue and Westmoreland street (Block No. 4118, Lot No. 221), Little Neck, Borough of Queens.

APPEARANCES—

For Applicant: Wm. R. Murphy, Walter J. Murphy, E. H. Frost and T. Keenan.

For Owner: Murray B. Hillman.

ACTION OF BOARD—Request to reopen and rescind resolution withdrawn.

THE VOTE TO WITHDRAW REQUEST TO REOPEN:

Affirmative: Chairman Murdock, Commissioners Savage and Blum and Assistant Chief Walsh 4

Negative 0

Absent 0

* Correction—The first line of digest corrected to read "Appplicant for Rescindment—William R. Murphy, representing neighboring property owners"; the following line corrected to read "Owner of Premises—Murray B. Hillman, for Dale Carnegie" and under the caption of Appearances, the following words are inserted, "For Owner: Murray B. Hillman."

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, June 21, 1938, as they appeared in Bulletin No. 26, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(114-36-BZ)

WHEREAS, this application affecting premises 330 Bay street, southwest corner of St. Julian place (Block No. 503, Lot No. 32), Stapleton, Borough of Richmond, was granted by the board May 26, 1936, on certain conditions, resolution amended March 16, 1937, and applicant requested a further amendment of the resolution.

Resolved, that the Board of Standards and Appeals does hereby *amend* its resolution of March 16, 1937, so that as amended the resolution shall read:

"*Granted*, to permit the building under appeal to be used for more than five cars, salesroom for automobiles and gasoline selling alcove, and permitting the portion of the building toward the rear to be used as a motor vehicle repair shop; that in the event it is desired to rent this rear portion for two repair shops, such use may be permitted, provided there is constructed continuously through the building from east to west, a masonry wall not less than 12 inches in thickness, extending from the main floor to at least three (3) feet above the roof; that if any openings are constructed in this wall, such shall comply with the requirements of the Building Code as to size, and protection, underwriters' self-closing fire doors; that a door not less than three (3) feet in width shall be provided in the rear, to provide a second means of exit from all enclosed spaces; that the portion of the building used as a car salesroom or for sale of automobile accessories or any other use, shall be separated from the adjoining area used as a repair shop, by a similar masonry wall not less than 8 inches thick constructed from grade to the underneath side of the roof boarding, with fireproof doors in any openings, constructed as hereinbefore required; that the gasoline selling area at the corner of Bay street and St. Julian place shall be constructed in accordance with plans approved by the board on June 29, 1937, as complying with the resolution of the board adopted March 16, 1937, insofar as such plans relate to this gasoline selling alcove and that there shall be no superstructure over this gasoline selling alcove; that the new walls of enclosed garage building shall be constructed of approved masonry; that gasoline pumps shall be erected not nearer than

ten (10) feet to the building line of Bay street and no pump shall be erected nearer than three (3) feet to the garage wall, unless there are no windows constructed in such wall nearer than five feet from the pump; that throughout the garage, the ceiling shall be constructed of sheet metal not less than 26 gauge, attached to plaster board or equivalent material; that other than as herein modified, all laws, rules and regulations applicable to the construction and use of these premises shall be complied with; that the curb cut openings to the premises shall not exceed those now existing; that all permits required shall be obtained and all work completed within one year from the date of this amended resolution."

*Correction—The word "wall" omitted in line 25 of resolution.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, December 13, 1938, as they appeared in Bulletin No. 51, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(795-38-SM)

WHEREAS, the Lehigh Portland Cement Company, owner, filed September 15, 1938, an application with the Board of Standards and Appeals for approval of Lehigh Portland Cement and Lehigh Early Strength Portland Cement; and

WHEREAS, this material was submitted to the committee on tests of the Board for test and report; and

WHEREAS, in the report of the committee on tests, the following portion is hereby corrected to read:

LEHIGH EARLY STRENGTH PORTLAND CEMENT

RESULTS OF TESTS		REQUIREMENTS A.S.T.M. C74-37	FEDERAL
CHEMICAL:	As Tested	C77-37	SS-C-201
Loss of Ignition	1.10%	Not more than 4.00%	Not more than 3.00%
Insoluble Residue	0.9%	0.85	0.75
Sulphuric Anhydride	2.40%	2.50	2.50
Magnesia	2.90%	5.00	5.00
Alumina	5.70%	—	7.50
Iron Oxide	2.00%	—	6.00
Tricalcium Aluminate	12.7%	—	15.00
PHYSICAL:			
Fineness (Specific Surface)	2940	1900	1900
Soundness	O.K.	Sound	Sound
Time of Set (Gilmore)			
Initial (Hr.:Min.)	1:50	Min. 60 min.	Min. 60 min.
Final (Hr.:Min.)	3:10	Max. 10 hr.	Max. 10 hr.

*Correction—The number "1150" changed to "1:50" and the number "3110" changed to "3:10" in the last two lines of that portion of the above report.

*CORRECTION

The minutes of the meeting of the Board of Standards and Appeals held Tuesday, November 22, 1938, as they appeared in Bulletin No. 48, Vol. 23, are hereby corrected to read as follows:

THE RESOLUTION—

(820-38-SM)

WHEREAS, George F. Erath, New York Manager of Pittsburgh Corning Corporation, owner, filed September 26, 1938, an application with the Board of Standards and Appeals for approval of the material known as the P. C. Glass Blocks, manufactured by the Pittsburgh Corning Corporation; and

WHEREAS, the material was submitted to the committee on Tests for test and report; and

WHEREAS, in the report of the committee on tests, the following paragraph, under the heading of *Radial Block,* is hereby corrected to read:

Where these blocks are used above the ninth story in *exterior* panels exceeding 60 sq. ft. in area, every size of P C Glass Blocks, wherever used, shall be provided with bond ties in every course.

*Correction—The word "interior" changed to *"exterior"* in the 2nd line of the above mentioned paragraph.

FORMS FOR NOTICES TO PROPERTY OWNERS

Applicants, under the building zone resolution, are entitled to one copy of Form 7NO.

If they desire additional copies, for their own convenience in notifying property owners, they may obtain such copies at the office of the Board of Standards and Appeals, Room 1018, Municipal Building, Manhattan, at three cents each—postage to be added if the forms are forwarded by mail.

MULTIPLE DWELLING LAW ON SALE

Copies of the Multiple Dwelling Law are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 50c; by mail 54c.

Copies of the Supplemental Rules and Regulations of the Housing Division of the Department of Housing and Buildings on Fire Retarding, Fire Escapes, Fire Stairs and Fire Towers are now on sale at the Distribution Division of the City Record Office, Room 2213, Municipal Building, Manhattan. Price 10c; by mail 12c.

WARNING

Notice is hereby given to all appellants and applicants, and to all lawyers, architects and engineers representing owners or lessees in proceedings before the board—

First, That if they do not appear in person or by representative at the hearing of their case, dismissal for lack of prosecution is likely to result.

Second, That due and ample notice of the date set for hearing is provided in the publication in this BULLETIN of the calendars of the board, each case being set down by Calendar Number and premises under the date of the hearing.

Third, That no plea of ignorance of the date of the hearing can be entertained in view of this publication and of the posting of the calendars on the bulletin board in the offices of the board and of the further publication of the calendars in the daily press.

Fourth, That no one is entitled to written notice of the date for the hearing in his case, and that the plea of failure to receive such notice is no excuse for neglect to appear.

Fifth, That the business of the board is to dispose of all cases promptly, for the reason that the pendancy of an appeal or application ties the hands of the administrative official in enforcing his order; therefore, no appeal or application will be held in abeyance by reason of failure of the appellant or applicant to file necessary data, or by any other method of delay.

Sixth, That no appeal or application will be accepted for filing unless, at the time of filing, all papers, plans and data required by law are supplied, as specified on the blank appeal or application forms.

RULES

RULES GOVERNING THE INSTALLATION OF INTERIOR FIRE ALARM SIGNAL SYSTEMS, ADOPTED BY THE BOARD OF STANDARDS AND APPEALS, SEPTEMBER 27, 1917, AMENDED DECEMBER 6, 1917 AND FEBRUARY 7, 1918 AND REVISED DECEMBER 11, 1936.

[108-16-SR]

Rules for Interior Fire Alarm Signal Systems

Authority: Sections 718A and 718B of the Charter of the City of New York to carry into effect the provisions of Chapter 19—487E, Administrative Code and the provisions of Section 279 of the Labor Law.

Scope of Rules

These rules apply to all hotels, as defined in the Administrative Code and the Multiple Dwelling Law; to all lodging houses having more than 15 sleeping rooms, or accommodating more than 15 lodgers above the first or ground story; to all public and private hospitals and asylums having more than 15 rooms, or accommodating more than 15 patients or inmates above the first or ground story; to all nurseries accommodating more than 30 children, or having a Board of Health permit for the accommodation of more than 30 children; to all Turkish or other special treatment bath houses where there are sleeping accommodation for more than fifteen persons on the premises; to all department stores having two or more departments where the public is admitted above the second floor; to all public schools, and to all single and tenant factory buildings, as defined in the Labor Law and specifically required by Section 279 of said Law.

Law

Section 279. Fire Alarm Signal Systems and Fire Drills:

1. Fire alarm signal systems. Every factory building over two stories in height in which more than twenty-five persons are employed above the ground floor shall be equipped by the owner thereof with a fire alarm signal system having a sufficient number of signals clearly audible to all occupants of the building, and so arranged as to permit the sounding of all the alarms within the building whenever the alarm is sounded in any portion thereof. Such system shall be maintained in good working order and no person shall tamper with same or render ineffective any portion thereof except to repair it. A person discovering a fire shall cause an alarm to be sounded immediately. The board of standards and appeals in the city of New York, may make rules and regulations prescribing the number, character and location of the signals and the method and character of the installation, including that of all appliances in connection therewith.

3. Exceptions. Subdivisions one and two of this section shall not apply to a building in which every square foot of the floor area on all stories is protected with an automatic sprinkler system, having two adequate sources of water supply and approved by the public authorities having jurisdiction thereof, and in which also the maximum number of occupants of any one floor does not exceed by more than fifty percentum the capacity of the exits, as determined by subdivisions one, two and three of section two hundred and seventy-eight, in addition to the prescribed occupancy under subdivisions five, six and seven of said section. If the commissioner after investigation determines that the spirit of this chapter is observed and public safety secured, he may permit in place of the automatic sprinkler system before specified, an automatic sprinkler system having one adequate source of water supply and approved by the public authorities having jurisdiction thereof.

Chapter 19—487E-2.0.c.1.

Interior Fire Alarms:—In every hotel, lodging-house, public or private hospital or asylum, department store, and public school, there shall be placed and provided, when required by the fire commissioner, an adequate and reliable electrical or other interior alarm system, to be approved by the said commissioner, by means of which alarms of fire or other danger may be instantly communicated to every portion of the building. The fire alarm apparatus and all other appliances placed or kept within any of such buildings for the purpose of preventing or extinguishing fires, or for affording means of escape therefrom in case of fire, shall be kept at all times in good working order and proper condition for immediate use, and any member of the uniformed force or authorized representative of the Fire Department may enter any of the said buildings at any time, for the purpose of inspecting such apparatus or appliances.

Rule 1. Definition of Terms

1.1 The term "non-coded closed circuit fire alarm signal systems" shall mean a fire alarm signal system consisting of sending stations and signaling devices operated on supervised closed electric alternating current circuits, so arranged that the operation of any station will automatically sound the signaling devices throughout all portions of the building.

1.2 The term "coded closed circuit fire alarm signal systems" shall mean a fire alarm signal system consisting of sending stations and signaling devices operated on supervised closed electric circuits which transmits rounds of coded signals to indicate the floor or portion of the same from which the alarm was sent.

1.3 The term "heretofore" shall mean before December 31, 1936.

1.4 The term "hereafter" shall mean after December 31, 1936.

1.5 The term "approved" shall mean approved by the Board of Standards and Appeals.

1.6 The term "commissioner" shall mean the Fire Chief and Commissioner of the fire department specifically charged with the enforcement of law relating to interior fire alarm systems in the City of New York.

Rule 2. General

2.1 All fire alarm signal systems and devices shall be approved by the Board of Standards and Appeals.

2.2 All devices and equipment that have been approved by the Board, shall have securely fastened thereon, a manufacturer's plate bearing the words "Approved by the Board of Standards and Appeals—No.....", together with any other electrical data that the Commissioner may require.

Rule 3. Examination and Approval of Plans

3.1 Before the installation or extension of any fire alarm system, specifications and plans thereof, showing complete details of the proposed installation, shall be submitted by the owner or his agent to the Commissioner for examination and approval.

RULES

Rule 4. Classification

4.1 Fire alarm signal systems shall be classified as follows:

(a) Non-coded closed circuit fire alarm systems.

(b) Coded closed circuit fire alarm systems.

4.1.1 The code numbers that are used shall be submitted for approval to the Commissioner and shall be sounded at least four (4) times for each operation of the sending station.

4.2 A non-coded closed circuit system shall be so arranged that the operation of any station will automatically sound the signaling devices until hook is restored to its original position; and in the break-glass type until the glass has been replaced.

4.3 Coded closed circuit systems shall be divided into three (3) classes:

Class 1—General Systems.

Class 2—Pre-signal or dual operation systems.

Class 3—Unit and general systems—or Duplex systems.

Special systems.

4.4 Class 1 system shall be a general alarm system of the coded closed circuit type so arranged that the operation of any station will cause the signaling devices to sound the code number of that station at least four (4) times throughout the entire building.

4.5 Class 2 system shall be a pre-signal or dual operation system of the coded closed circuit type so arranged that the operation of any station will cause the sounding of the signaling devices located in the engine room, elevator shafts, basement or other places in the building where the members of the fire brigade work or assemble.

4.5.1 Approved means shall be provided at each station, so arranged that a subsequent operation of any station shall cause the sounding of all signaling devices throughout the building.

4.5.2 This subsequent operation shall be performed with the aid of a key or plug designed so as to prevent unauthorized sounding of the general alarm.

4.5.3 The pre-signal or dual operation key or plug shall be so designed that it can be readily identified by the person whose duty it would be to use same.

4.6 Class 3 system shall be a unit and general alarm or Duplex system of the coded closed circuit type so arranged that the operation of a station within a unit will cause all of the signaling devices in that unit and all of the signaling devices on the general alarm circuit to sound the code numbers of the unit and zone at least four (4) times.

4.6.1 An approved register and time stamp may be used in connection with a Class 3 system when approved by the Commissioner.

4.6.2 The register, if of closed circuit type, shall be operated from a separate closed circuit control board or from separate panel isolated by barrier from main control panel in main control board cabinet.

4.6.3 Approved closed circuit trouble and unit annunciators shall be installed as part of all Class 3 systems when required by the Commissioner.

4.7 Special systems shall include a complete Class 1, 2 or 3 system supplemented by special circuits for the operation of other fire alarm devices in the systems; or electric control systems for stopping machinery, closing doors or ventilators as may be required by the Commissioner; or to call the central station of a private operating company or the fire department. Automatic fire detecting systems may be connected to operate an interior fire alarm system when connected thereto by an approved coded transmitter. In no case shall the transmitter be considered to replace the standard approved interior fire alarm station, except where a transmitter has been approved for both purposes. The special control circuits shall be separate and distinct from the fire alarm system but shall be brought into action whenever the fire alarm system is set in operation.

Rule 5. Systems Permitted in Factory and Other Buildings

5.1 Non-coded closed circuit fire alarm signal systems shall be permitted only in a factory building not exceeding five (5) stories in height having not more than twenty-five hundred (2500) square feet in area in any one story and having not more than one hundred (100) persons in a single factory; nor more than fifty (50) persons in a multiple tenant factory above the first or ground floor.

5.2 Coded closed circuit systems shall be required in a factory building exceeding the requirements of Rule 5.1.

5.3 Special fire alarm signal systems shall be permitted in factory buildings at the direction of the Commissioner.

5.4 Coded closed circuit systems shall be required in all other types of buildings requiring an interior alarm system.

Rule 6. Installation and Construction Requirements

6.1 All work in connection with the installation of a fire alarm signal system shall be performed in a neat and workmanlike manner to the satisfaction of the Commissioner.

6.2 In any fire alarm system there shall be not more than fourteen (14) direct nor more than ten (10) alternating current gongs or other approved sounding devices connected in one circuit.

6.3 There shall not be in any fire alarm system more than twenty (20) stations connected to one circuit or loop.

6.4 All gongs and signaling devices shall be located not less than eight (8) feet to the center above the floor.

6.5 All fire alarm stations shall be located five (5) feet three (3) inches from handle to floor.

6.6 An approved instruction card properly marked and framed under glass shall be installed at each fire alarm station.

6.7 All materials and devices used in fire alarm signal systems shall be securely fastened in position in a manner satisfactory to the Commissioner.

6.8 For fastening to masonry walls, through bolts, metal expansion shields or toggle bolts shall be used.

6.9 Wood screws shall be used for fastening equipment to wood surfaces.

6.10 The use of nails or wood or fibre plugs is prohibited.

6.11 When fire alarm apparatus is mounted upon a wooden back board, such back board shall be not less than seven-eighths (7/8) inch thick, impregnated with a non-absorptive compound. The back

board shall be so mounted as to provide an air space of at least one-quarter (¼) inch between the back board and the wall for free circulation of air.

6.12 All electrical conductors shall be installed in standard heavy wall, rigid iron or steel conduits protected with an approved rust preventive. Armored cable or flexible conduits will not be accepted.

6.13 All conduits shall be grounded to a water pipe by approved ground clamps with a conductor equal to the largest conductor used on the system and the smallest size ground conductors used shall not be less than No. 10 B. & S. gauge.

6.14 Splices in electrical conductors in vertical risers shall not be permitted. Splices when necessary in horizontal runs, shall be made in approved junction boxes and shall be properly soldered and taped. The cover of the junction box shall be painted fire department red to indicate that it contains splices. The use of wire nuts or other solderless splicing devices shall not be permitted.

6.15 Electrical conduits shall enter only at the side or the bottom of the control cabinet.

6.16 In coded fire alarm systems using break glass type stations, at least one (1) extra glass shall be provided for each station in the system.

6.17 All openings in walls, floors or ceilings where conduits pass through, shall be properly fire stopped.

6.18 Conduits shall contain only conductors used in connection with the fire alarm system.

6.19 When special care is taken to insure the wires against injury, four (4) wires may be placed in one-half (½) inch rigid iron conduits. Conductors shall consist of not less than No. 14 B. & S. gauge copper wire, having rubber insulation wall not less than three-sixty-fourths (3/64) inch thick.

6.20 Where necessary to assure reliable service, connections of conductors to terminals or binding posts shall be soldered. The use of a blow torch for soldering connections to terminals shall not be permitted.

6.21 Where wires pass underground from one building to another, they shall be enclosed in conduits and shall be lead encased. Wires between buildings, when not run in conduit, shall be at least equivalent in conductivity and tensile strength to No. 8 B. & S. gauge copper wire for box and signaling circuits and shall be supported at least every seventy-five (75) feet on approved glass insulators and brackets, and be protected by approved lightning arrestors when required by the Commissioner. As far as possible, they shall be run under, rather than over, electric light or power wires.

Rule 7. Sending Stations

7.1 There shall be at least one (1) fire alarm sending station in each story of any building requiring a manual fire alarm signal system, located in a natural path of escape from fire at a readily accessible location designated by the Commissioner, which always shall be kept unobstructed. Additional sending stations shall be installed so that no point on any floor in a non-fireproof building shall be more than one hundred (100) feet distant from the nearest sending station upon such floor. In fireproof or sprinklered buildings, the distance shall not be more than one hundred and fifty (150) feet.

Rule 8. Sounding Devices

8.1 Sounding devices shall be sufficient in number to be clearly audible to all the occupants of the building.

Rule 9. Sub-divided Buildings

9.1 Where a building is sub-divided by fire walls, each section shall be deemed a separate building for the purpose of fire alarm signal system installations. One control board may be used, if so arranged, as to operate the signaling devices in each section of the building independently; or may be operated as one unit when deemed necessary by the Commissioner.

Rule 10. Mixed Occupancy

10.1 In buildings requiring fire alarm signal systems, of which parts are occupied by other than factory tenants and in which the conditions of construction and occupancy warrant the establishment of a local fire brigade, the Commissioner may accept dual operation systems.

Rule 11. Existing Installations

11.1 Fire alarm signal systems heretofore installed in buildings in the City of New York and installed in accordance with the rules then in force, shall be accepted as long as they are maintained in proper working order.

Rule 12. Sources of Electrical Energy

12.1 Sources of electrical energy used in operating fire alarm signal systems shall be:

1. Generated electric power, not exceeding a potential of 250 volts, including:
   (a) Central Stations
   (b) Isolated Plants
2. Storage battery power

12.1.1 Either source of power shall be used under conditions and limitations as set forth by the Commissioner.

12.2 One source of energy shall be connected to the fire alarm system at all times. All auxiliary sources of energy when required shall be so arranged and controlled by an automatic switch that when the primary source of energy fails, the secondary source will be automatically connected to the fire alarm signal system. Intermediate devices are prohibited between the fire alarm control board and the source of current supply, except where specifically approved by the board for the purpose intended.

Central Stations

12.3 When the energy for a fire alarm signal system is supplied by a central station power system it shall be accepted as the sole source of supply; connections shall be made on the street side of the service switch except that in cases where the master meter is within thirty (30) feet of the main switch of the premises, permission may be given by the Commissioner to connect to the house side of the meter when a certificate of recent date from an authority of competent jurisdiction has certified that the electrical wiring throughout the premises is in a safe condition. When a house side connection is made, the fire alarm cutout shall be the first connection and as near as possible to the meter. Same shall be enclosed in a locked or sealed metal cabinet, painted fire department red and stenciled "Interior Fire Alarm." Fuses shall be of the enclosed cartridge type. Screw plug fuses will not be accepted. The cutout shall be a three pole cartridge fuse cutout with neutral fuse replaced by a solid copper bar. The smallest size fuse used on a fire alarm system shall be fifteen (15) amperes.

Isolated Plants

12.4 Energy from isolated electric light and power plants shall be used for fire alarm signal systems only when there is a more than one generating unit and the plant is always in operation when the building is occupied. When only one generator unit is employed, the source of energy shall be supplemented by storage battery or other auxiliary service. The fire alarm service connection shall be taken from the main bus of the house switchboard and installed in accordance with the service requirements under central stations. When a house side connection is made, the fire alarm cutout shall be the first connection and as near as possible to the meter. Same shall be enclosed in a locked or sealed metal cabinet, painted fire department red and stenciled "Interior Fire Alarm." Fuses shall be of the enclosed cartridge type. Screw plug fuses will not be accepted. The cutout shall be a three pole cartridge fuse cutout with neutral fuse replaced by a solid copper bar. The smallest size fuse used on a fire alarm system shall be fifteen (15) amperes.

Storage Battery

12.5 When a storage battery equipment is used as the sole source of current for a fire alarm signal system, the storage battery shall be provided in duplicate; or an approved type trickle charger may be substituted for the duplicate storage battery located in a room sufficiently ventilated. Such installations shall be equipped with a switchboard or panel of approved material on which are mounted volt meters, ammeters, circuit breakers, fuses, resistances, switches, starting devices for motors, field rheostats for generator and other apparatus required for charging and operating the battery.

12.6 Storage batteries shall be so located and ventilated as to avoid danger of sparking contacts igniting flammable gases or vapors.
In no case shall a storage battery be located in the same room with a gas meter.

Rule 13. Acceptance Test

13.1 Upon completion of a fire alarm signal system and as a condition of acceptance, a test of the entire installation shall be made under the direction of the Commissioner.

13.2 All systems shall show an insulation resistance of not less than ten (10) megohms with signaling apparatus disconnected.

13.3 The owner or contractors shall furnish all the necessary tools, instruments and labor to conduct this test when required by the Commissioner. The contractor shall notify the Department having jurisdiction in writing at the start and upon completion of the installation.

Rule 14. Daily and Monthly Test

14.1 Every fire alarm system shall be tested each morning immediately after the hours of starting work. No such system shall be used for any other purpose, except that the daily dismissal signals may be given if authorized by the Commissioner. The use of the system for fire drill purposes may be considered a test of those parts of the system actually used.

14.2 Each sending station shall be tested at least once a month.

14.3 All apparatus requiring winding shall be rewound after each operation and kept in normal condition.

14.4 A complete record of monthly tests, fire drills and other operations of fire alarm systems shall be kept subject to inspection by the Commissioner.

Rule 15. Maintenance

15.1 Interior fire alarm systems shall be maintained in operating condition at all times, unless the buildings are vacated for a period longer than one week. If the system becomes inoperative at any time, it shall be the duty of the owner or the person designated by him to be in charge of the system to notify all the occupants of the building and to take immediate steps to have the system restored to working order. He shall also place cards on the fire alarm boxes indicating that the system is out of order.

15.2 If, for any reason, it becomes necessary to disconnect the source of current of any system, the owner or other responsible person shall notify the Commissioner in advance of such disconnection, stating the reason therefor.

15.3 In systems using break glass type stations, at least one (1) extra glass for each station in the system shall be kept on the premises.

Rule 16. Alarm Boxes

16.1 In fire alarm signal systems the metal case enclosing exposed or surface alarm boxes shall be of cast iron and drilled and tapped to receive the conduit. When exposed to moisture the box shall be enclosed in a suitable weather-proof outer shell. In new buildings, approved back boxes embedded in the wall may be used and the conduits shall be properly secured by lock nuts and bushings.

16.2 All current carrying parts shall be insulated from parts of opposite polarity with approved insulating material.

16.3 All coded pull lever type stations shall be fitted with a door to protect the pull lever against accidental injury. Such door shall have a handle rigidly secured thereon and be so constructed as to open readily. The wording "In Case of Fire Open Door and Pull Down Lever" in raised letters or equivalent instructions shall appear on the door.

16.4 All break-glass type fire alarm boxes shall be provided with suitable hammers on chains of approved type attached to or near the boxes with which the glass can readily be broken; or other methods may be used to break the glass when approved by the Commissioner.

16.5 All break-glass boxes shall have in raised letters on the fronts, the words "Fire Alarm—In Case of Fire Break Glass," and such additional instructions as may be necessary to send an alarm.

16.6 The box or station shall be so designed that once started, the proper transmission of a complete set of signals cannot be interfered with by manipulation of its starting device.

16.7 Each closed circuit coded box or station shall be arranged to send a definite code of signals to indicate the floor or portion of same on which it is located.

16.8 Not less than three (3) or more than twenty (20) taps or blasts shall be given at each revolution of the code wheel.

16.9 The code wheel shall revolve at least four (4) times for each operation of its starting device and be of metal properly insulated from ground.

16.10 Boxes or stations used in systems in which whistles, vibrating bells or horns are employed shall be so timed that the sounding devices will give the code signal clearly.

16.11 Contact points shall be in multiple.

16.12 Contact points and contacts of the testing devices

shall be of silver or other approved material and be of the scraping type, secured in a substantial manner to phosphor bronze or other approved material springs, and be so designed as to positively break a circuit carrying one-tenth (1/10) ampere at two hundred and fifty (250) volts under actual working conditions.

16.13 Lever boxes shall be so designed as to automatically wind when the lever is pulled for an alarm. Boxes requiring glass replacements shall be so arranged that replacement cannot be made without resetting mechanism for another alarm.

16.14 Where it becomes necessary to install more than one set of contacts operating from code wheel, permission in writing in advance must be obtained from the Commissioner. This shall not include pre-signal features.

16.15 The box shall have plainly marked thereon its code signal number.

Rule 17. Non-Coded Boxes

17.1 Non-coded closed circuit fire alarm stations may be operated by a break-glass or pull lever device so arranged that the alarm cannot be interfered with except by resetting or replacement of the glass by an authorized person.

17.2 The construction and materials shall be equal to that of the standard approved type coded closed circuit station except that the contacts shall be of ample capacity to safely carry the entire operating current of the gong circuit without excessive heating.

Rule 18. Station Testing Devices

18.1 Each fire alarm system shall be provided with an auxiliary device to test the signaling devices, located in one of the alarm boxes or mounted on the control board Such testing devices shall be arranged to make the test without operating the break wheel of the box or interfering with the dual operating feature.

18.2 Provision shall be made for a silent test of coded alarm box mechanisms without operating the signaling devices. Such device shall be designed to prevent any persons except those in authority from operating the same and to prevent the possibility of the box being left inoperative after the test.

Rule 19. Supervising Current

19.1 A small current flow to constantly supervise each circuit shall be maintained. A milliammeter, or other approved current indicator shall be provided and so connected as to indicate the supervising current.

19.2 The supervising circuit shall be provided with a trouble bell operating on open circuit arranged to ring continuously in case of failure of the system. The trouble bell shall be so located that it will be within audible range of some responsible person in the building and shall be connected to the electric light or power service in the building. Permission may be granted by the Commissioner to connect the trouble bell to a battery of approved type.

19.3 Trouble bells shall not be fitted with silencing switches except in such a manner that the act of silencing the bell by the operation of the switch, automatically and positively transfers the trouble signal to a red lamp on the control board fed by some auxiliary source of current supply. This auxiliary source of current shall be a house lighting circuit or any other approved source.

19.4 The trouble bell shall be of an approved design of the vibrating type and give a distinctive signal.

Rule 20. Protection of Sending and Sounding Devices

20.1 In fire alarm signal systems, all moving parts of sending stations and sounding devices shall be enclosed in metal casings, made dust-proof and damp-proof when necessary, and clearly marked with instructions for use.

20.2 Whenever necessary, hammer rods of gongs shall be suitably protected against mechanical injury or derangement by the use of a guard or other suitable means. If subject to mechanical injury, the entire device shall also be enclosed in a protecting case made of approved wire netting or perforated metal. All casings shall be insulated from current carrying parts, but shall be grounded to the conduit.

Rule 21. Standards of Electric Alarm Apparatus

21.1 All electrically actuated apparatus used in fire alarm systems shall be so designed and constructed that it will operate satisfactorily at a current flow of twenty-five (25) per cent above or below the normal operating current.

Insulation

21.2 Insulating materials used in electric fire alarm signal systems shall be varnished cambric, bakelite, mica or other approved insulating material.

21.2.1 The use of fibre or paper as an insulating material for fire alarm signal systems shall not be permitted.

21.3 The insulating material used on electric fire alarm signal systems shall be capable of withstanding an insulation break-down test of one thousand (1000) volts A. C. plus twice operating voltage applied for one (1) minute.

Electro-Magnets

21.4 Electro-magnet windings shall be impregnated with an insulating moisture repelling compound or shall be of silk enameled wire.

21.5 Electro-magnet coils to be used on alternating current when composed of enameled wire shall have an additional approved insulation on each wire. The coils may be of the form wound type.

21.6 A protective cover to prevent mechanical injury shall be provided over the entire coil.

21.7 Electro-magnet coils shall be securely fastened to prevent floating.

21.8 Electro-magnet cores shall be of the best grade of ferrous material so as to reduce to a minimum the possibility of failure due to residual magnetism.

21.9 Electro-magnet cores for use on alternating current shall be of laminated construction or other approved method to prevent heating and promote efficiency.

21.10 Electro-magnet cores of relays and gongs shall be treated to prevent corrosion.

21.10.1 Paint or varnish for this purpose shall not be used.

21.11 Non-magnetic freeze pins shall be used which will prevent two magnet surfaces coming in actual contact.

Gongs

21.12 Gong shells shall be pinned to prevent turning and then securely fastened to its support by a machine cap screw at least three-eighths (3/8) inch in diameter.

21.13 Gong shells shall be covered with an approved rust preventive.

21.14 The gong shell support and gong frames shall be cast in one piece.

Wiring

21.15 All connections shall be properly protected, securely made and where subject to motion shall be of approved flexible wire.

21.16 All wiring of control board, station and gong circuits shall be at least No. 14 B. & S. gauge.

21.17 Binding posts shall be of such a character that the wire is held between two flat surfaces.

21.18 Binding posts shall be mounted on an approved terminal block or insulating strip spaced not nearer than one-half (½) inch to each other, unless separated by approved barriers.

Relays

21.19 The armatures of all relays shall depend on gravity or magnetic attraction for their operation.

21.19.1 This action may be assisted by flat type springs when approved by the Commissioner.

21.19.2 The use of spiral springs is prohibited.

21.20 Adjustments shall be of such a character that they can be securely locked.

21.21 Contact points shall be ample in area not only to take care of current used in operation but to insure long life and shall be of pure silver, or other approved material, properly riveted to their support.

21.22 Contact arms shall be of phosphor bronze and be of the dead beat type.

21.23 Contact assemblies shall be of such a character that their operation will be of a scraping self-cleansing nature.

21.24 The use of condensers across contacts to absorb the arc or in any part of a fire alarm circuit is prohibited.

21.25 Relays shall be free from objectionable hum when used on alternating current.

Rule 22. Time Limit Delay Device

22.1 All gong circuits shall and special signal apparatus may when required by the Commissioner, be protected by a Time Limit Delay Device.

Note: This time limit delay device shall consist of a heating coil so designed that the normal operating current will have little or no effect upon a thermostatic bi-metal bar or strip contained therein. Any abnormal increase over operating current or the continued accumulative heating effect thereof after a period of not less than three (3) minutes nor more than twenty (20) minutes shall cause the thermostatic element to expand. The expansion of this element shall automatically open the source of current supply to the gongs or devices protected.

22.2 The operation of the time limit delay device shall cause the trouble bell to ring.

22.3 Time limit delay devices shall be so connected in the fire alarm circuit that their operation will not open the fire alarm box circuits.

22.4 Where due to the extent of the installation, it becomes necessary to install a number of time limit delay devices, the operation of a single time limit delay device shall not affect other sounding devices similarly protected.

22.5 A contactor relay to operate the sounding devices shall be provided on all direct current gong circuits exceeding three (3) and all alternating current gong circuits exceeding two (2) in number.

22.6 Gong circuits not requiring contactor relays shall be operated by contacts properly placed on the armature of the box circuit relay.

22.7 A separate time limit delay device, contactor relay, contactor supervisory relay and gong supervisory relay shall be provided for each four (4) gong circuit or fraction thereof.

Switches

22.8 Triple pole, double throw, broken back knife switches properly supervised and connected to emergency resistors shall be provided on all box and gong circuits when they exceed three (3) in number.

Instruments

22.9 A separate approved milliammeter or other approved current indicating device shall be provided for the box circuit and each four (4) gong circuit on the control board when the gong circuits exceed three (3) in number. A separate milliammeter shall be provided to indicate the supervisory current of contactor relays and emergency switch circuits. This meter shall be known as the Board Meter.

Resistors

22.10 Resistors shall be mounted on the front or face of control panels and shall be of vitreous enameled type.

Note: Wire wound resistors when protected by a suitable metal guard may be used in special cases when approved by the Commissioner.

22.11 Ferrule or knife contact type resistors shall not be used.

22.12 A protective resistor shall be placed in the negative or live lead of all box circuits to protect the contacts of the boxes in the event of a ground.

22.12.1 This resistor shall be not less than three-hundred (300) nor more than seven hundred and fifty (750) ohms resistance.

Rule 23. Control Boards

23.1 All relays, current indicators, resistances, time limit delay devices and other apparatus used in connection with the operation and supervision of closed circuit fire alarm signal systems shall be properly mounted on a panel of approved material, in a metal cabinet provided with lock and key. The control board shall be located in a place subject to the least vibration, free from moisture, inflammable gases, dust and mechanical injury and under frequent view of a responsible occupant of the building delegated by the owner to be in charge.

23.2 Control board panels shall be of insulating material such as ebony asbestos, bakelite or other approved materials at least one-half (½) inch in thickness.

23.3 Control boards mounted in each cabinet shall be securely fastened in each corner.

23.4 Provision shall be made for ample wire gutter space around the panel.

23.5 Conduit knockouts shall not be provided in top of control board cabinet.

23.6 An approved wiring diagram of the alarm system and card of instruction properly marked and securely fastened shall be provided within the control board cabinet. When it becomes necessary to mount the diagram outside of the cabinet, the diagram shall be properly framed under glass.

23.7 All control board cabinets shall be provided with sight hole and glass panel to make meters on the inside of the cabinets visible from the outside.

23.8 Wires in gutter spaces shall be properly laced in a neat and workmanlike manner on all control boards having a capacity for more than three (3) gong circuits.

Rule 24. Battery Cabinets

24.1 All electric batteries for fire alarm signal systems shall be placed in substantial protecting cabinets thoroughly ventilated, elevated not less than one (1) nor more than five (5) feet above the floor and located in clean, dry and cool places where the temperature will not be less than forty (40) nor more than one hundred and ten (110) degrees Fahrenheit. Main battery cabinets shall be so constructed that the condition of the elements may be observed without disturbing the cells.

24.2 Metal battery cabinets shall be constructed of sheet iron or steel, not less than No. 14 U. S. gauge in thickness, properly reinforced by angle irons, with self-closing doors provided with lock and key and wood shelves not less than seven-eighths (7/8) of an inch thick, unless the battery is of the spray-proof type, properly fastened and secured to prevent sagging. The interior and the exterior of the cabinet shall be protected with three (3) coats of asphaltum compound, each coat to be thoroughly dry before the next is applied, or with baked enamel.

24.3 Wood battery cabinets shall be constructed of the first grade of kiln dried wood not less than seven-eighths (7/8) of an inch thick and shall be provided with self-closing door and approved lock. The shelves shall be not less than seven-eighths (7/8) of an inch thick properly fastened and secured to prevent sagging. The cabinet shall be of substantial construction painted on the interior with three (3) coats of asphaltum compound and on the exterior with three (3) coats of lead paint or two (2) coats of varnish.

24.4 Storage batteries may be placed on enamaled metal battery racks, provided the batteries are installed in a place where they will not be subject to mechanical injury, and will be ventilated as required in Rule 12.6.

Rule 25. Painting of Equipment

25.1 All enclosing cases for fire alarm apparatus shall be finished in fire department red, except where special permission is given by the Commissioner to deviate from this requirement.

Rule 26. Closed Circuit Annunciators

26.1 Annunciators used in connection with Class 3 fire alarm systems shall be of an approved closed circuit type.

26.2 The annunciator shall have approved type of relays equipped with a suitable target, shutter or other indicating device.

26.2.1 The indicating device shall have marked thereon a suitable description of the purpose it serves.

26.3 The printed designation on unit or building annunciator's indicators shall be legible. The mechanism shall be so arranged that once operated the indicating device shall be reset manually.

26.4 A unit annunciator shall be so designed that the operation of any station in the unit shall cause a visible and audible signal.

26.5 The unit annunciator shall be actuated by contact on code wheel of the fire alarm station or by contact on a relay connected to the fire alarm box circuit. In no case shall the station fire alarm circuit be used for this purpose.

26.6 Trouble annunciators shall be so arranged that the indicating device will reset automatically when cause of trouble has been removed.

26.7 The trouble annunciator shall be so designed that it will indicate visible and audible trouble signals in the event of trouble occurring on any circuit, control board or unit annunciators.

26.8 The trouble annunciator shall be actuated by the operation of contacts on all supervisory relays.

26.8.1 Each relay of this annunciator shall be provided with two (2) sets of contacts so arranged that one will operate the one hundred and ten (110) volt trouble signal, the other set to actuate the register if a register is used.

26.9 A trouble buzzer switch and lamp shall be mounted on the inside of each unit annunciator cabinet on the panel.

26.10 A trouble bell, switch and lamp shall be mounted on the inside of each trouble annunciator cabinet on the panel. Trouble bell may be placed at a distance from the annunciator by special permission of the Commissioner.

26.11 Relay drops of annunciator shall be so designed that vibration from without or that caused by the trouble signal within will not operate the indicating devices.

26.12 All annunciators shall be installed in a separate red enameled steel cabinet provided with an approved lock and key.

26.13 Annunciators shall be properly marked in white letters at least one (1) inch high with the words: "Fire Alarm Annunciator" Zone — or "Fire Alarm Trouble Annunciator," whichever the case may be.

Rule 27. Licensed Contractors

27.1 No person shall install, alter or repair or cause to be installed, altered, or repaired electrical wiring or apparatus for fire alarm systems in any building, except a person holding a license, or a special license in accordance with Chapter 9 of the Code of Ordinances of the City of New York.

The enforcing authority shall not approve any installation, alteration or repair done in violation of this rule.

Rule 28. Used or Rebuilt Apparatus

28.1 Used apparatus shall not be re-used for any interior fire alarm system under these Rules and Regulations until the same has been reconditioned in the shop of a reliable manufacturer building interior fire alarm apparatus which has been approved by the Board of Standards and Appeals. Approval in writing shall be obtained from the enforcing authority prior to installation. The enforcing authority shall not approve for use, used or reconditioned apparatus that may not give satisfactory service.

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